

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, July 10, 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, July 10, 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 Harold Nixon.
3. APPROVAL OF MINUTES: Pre-Council Work Session and Regular City Council Meeting held June 26, 1986.

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.

4. **Ordinances & Resolutions:**
 - a. Resolution for correction to property descriptions for Cedar Creek Project (I-20 north to Buck Creek)
 - b. Oral resolution authorizing City Manager to execute contract with engineering firm for Wastewater Collection System Analysis.
 - c. Consider on first reading - An ordinance amending the Abilene Municipal Code, Article V; Section 29-90 and Section 29-91 concerning Street Use Licenses, and set a public hearing for July 24, 1986.
 - d. Consider a blanket sanitary sewer waiver for portions of the Southside Annexation area abutting Highway 707, Antilley Road, and Buffalo Gap Road.
 - e. Consider amendment to contract for architectural services on Police facility.
 - f. Consider on first reading - an ordinance changing zoning district boundaries - Z-3486 - Request from Don C. Garrett to rezone from RM-3 (Residential Multi-Family) to LC (Limited Commercial) district, property located at 1636 North 20th Street, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - g. Consider on first reading - an ordinance changing zoning district boundaries - Z-3586 - Request from James A. Jay to rezone from RM-1 (Residential Multi-family) to MU (Medical Use) district property located at the northeastern corner of North 21st and Simmons Streets, and set a public hearing for July 24, 1986, at 9:00 a.m.

- h. Consider on first reading - an ordinance changing zoning district boundaries - **Z-4386** - Request from J. J. Aguilar and Associates, agent, Eddie Chase, to rezone from O (Office), SC (Shopping Center) and RM-3 (Residential Multi-family) to PDS (Planned Development Shopping Center) district property located on South 14th Street at South Danville and Frenchman's Creek Road, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - i. Consider on first reading - an ordinance changing zoning district boundaries - **Z-06086** - Request from Dennis William Norman to rezone from AO (Agricultural Open Space) to LC (Limited Commercial) district property located at 3350 Buffalo Gap Road, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - j. Consider on first reading - an ordinance changing zoning district boundaries - **Z-6686** - Request from City of Abilene, agent, Planning Department, to rezone from HC (Heavy Commercial) to RS-6 (Residential Single-family) district property located along the 1700 block of Walnut Street and 1801 and 1818 Walnut Street, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - k. Consider on first reading - an ordinance for a thoroughfare closure - **TC-01386-2** - Request from Kenneth Musgrave, agent, Eddie Chase, to close portions of Constitution Avenue and Liberty Boulevard, located in Section 3, Heritage Parks Addition, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - l. Consider on first reading - an ordinance for a thoroughfare closure - **TC-4486** - Request from J. J. Aguilar and Associates, Inc., agent Eddie Chase, for a thoroughfare abandonment for a portion of Frenchman's Creek Road, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - m. Consider on first reading - an ordinance for a thoroughfare closure - **TC-6186** - Request from Hardin Simmons University, agent, Tittle Luther Loving Architects, to close portions of University Boulevard from Pine to Cypress Street and portions of Cypress Street from University Blvd. to Vogel Avenue, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - n. Consider on first reading - an ordinance for a thoroughfare closure - **TC-6486** - Request from Marvin Smith to close portions of Ash St. between N. 13th and N. 16th Streets and portions of N. 14th Street between Plum Street and Treadaway Blvd., and set a public hearing for July 24, 1986, at 9:00 a.m.
 - o. Consider on first reading - an ordinance for a thoroughfare closure - **TC-6586** - Request from Marvin Smith to close Park Avenue from the north right-of-way line of North 2nd Street to the south right-of-way line of North 3rd Street, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - p. Consider on first reading - an ordinance amending the zoning Ordinance, Section 23-306.4, Permitted Use Chart, concerning the location of go-cart tracks in Heavy Commercial districts, and set a public hearing for July 24, 1986, at 9:00 a.m.
 - q. Resolution to consider amendment #1 of 1984 FAA Grant #3-48-0002-03.
5. **Award of BID**
- a. Lighting Contract and approval of change order #1 to lighting contract for the Airport, Bid #132.

REGULAR AGENDA

6. **Public Appearance**
 - a. Russ Evans, Executive Director, Abilene Regional Mental Health/Mental Retardation, to give an operations status update.
7. **Ordinances and Resolutions:**
 - a. Oral resolution to consider street use license to Mason Gamble, Inc., request for Lot 3, Block 21A Section 2, Abilene Plaza Addition; for a fence and additional parking.
 - b. ~~Remove from Table~~ - Consider a resolution calling a special election authorizing the sale of bonds for certain capital improvements projects.
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
JULY 10, 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 July 10, 1986, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor David Strubbeman 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
JULY 10, 1986, 9:00 A.M.

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

Mayor Strubbeman reconvened the City Council of the City of Abilene, Texas, into Regular Session July 10, 1986, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Harold Nixon.

The minutes of the Pre-Council Work Session and Regular City Council Meeting held June 26, 1986, stand approved.

Councilwoman Ray moved to approve the consent agenda items, being 4a through 4e, 4i through 4k, and 4m through 5a, as presented by the staff. Items 4f, 4g, 4h, and 4l were removed from the agenda since these items were denied by the Planning and Zoning Commission and not appealed at the present time. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: None.

4. Ordinances & Resolutions:

- a. Resolution for correction to property descriptions for Cedar Creek Project (1-20 north to Buck Creek). The Resolution is numbered 31-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING RESOLUTION 109-1985 ADOPTED THURSDAY, NOVEMBER 7, 1985, AND RESOLUTION 1-1986 ADOPTED THURSDAY, JANUARY 9, 1986, AND RESOLUTION 15-1986 ADOPTED THURSDAY, MAY 8, 1985, AUTHORIZING THE ACQUISITION OF LAND AND APPROPRIATION OF FUNDS FOR THE CEDAR CREEK (1-20 TO BUCK CREEK) WIDENING PROJECT.

- b. Oral resolution authorizing City Manager to execute contract with Freese & Nichols, Inc. - Todd Engineering, Inc., to conduct a Wastewater Collection System Analysis.
- c. Consider on first reading an ordinance amending the Abilene Municipal Code, Article V; Section 29-90 and Section 29-91 concerning Street Use Licenses, and set a public hearing for July 24, 1986.

AN ORDINANCE AMENDING ARTICLE V, SECTION 29-90, AND SECTION 29-91 OF THE ABILENE MUNICIPAL CODE, AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- d. Consider a blanket sanitary sewer waiver for portions of the Southside Annexation area abutting Highway 707, Antilley Road, and Buffalo Gap Road. The Resolution is numbered 32-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WAIVING MUNICIPAL SEWER EXTENSION REQUIRED BY THE SUBDIVISION ORDINANCE IN THE AREAS SET FORTH IN THE ATTACHED EXHIBIT "A", GENERALLY KNOWN AS THE SOUTHSIDE ANNEXATION AREA AS ANNEXED IN MAY, 1980.

- e. Consider amendment to contract with Title, Luther and Loving Architects for architectural services on Police facility. The item was approved by oral resolution.
- f. Removed from agenda.
- g. Removed from agenda.
- h. Removed from agenda.

i. APPEALED ITEM:

Consider on first reading an ordinance changing zoning district boundaries - Z-6086 - Request from Dennis William Norman to rezone from AO to LC district property located at 3350 Buffalo Gap Road, and set a public hearing for July 24, 1986, at 9:00 a.m.

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.

- j. Consider on first reading an ordinance changing zoning district boundaries - Z-6686 - Request from City of Abilene, Agent, Planning Department, to rezone portions of Walnut Street from HC to RS-6 district located in the 1700 Block of Walnut and 1801 and 1818 Walnut Street, and set a public hearing for July 24, 1985, at 9:00 a.m.

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.

- k. Consider on first reading an ordinance for a thoroughfare closure - TC-1386-2 - Request from Kenneth Musgrave, agent, Eddie Chase, to close portions of Constitution Avenue and Liberty Boulevard, located in Section 3, Heritage Parks Addition, and set a public hearing for July 24, 1985.

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.

- l. Removed from agenda.

- m. Consider on first reading an ordinance for a thoroughfare closure - TC-6186 - Request from Hardin Simmons University, agent, Tittle Luther Loving Architects, to close portions of University Boulevard from Pine to Cypress Street and portions of Cypress Street from University Blvd. to Vogel Avenue, and set a public hearing for July 24, 1985, at 9:00 a.m.

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.

- n. APPEALED ITEM:
Consider on first reading an ordinance for a thoroughfare closure - TC-6486 - Request from Marvin Smith to close portions of Ash St. between N. 13th and

N. 16th Streets and portions of N. 14th Street between Plum Street and Treadaway Blvd., and set a public hearing for July 24, 1986, at 9:00 a.m.

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.

o. **APPEALED ITEM:**

Consider on first reading an ordinance for a thoroughfare closure - TC-65586 - Request from Marvin Smith to close Park Avenue from the north right-of-way line of North 2nd Street to the south right-of-way line of North 3rd Street, and set a public hearing for July 24, 1986, at 9:00 a.m.

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.

- p. Consider on first reading an ordinance amending the zoning Ordinance, Section 23-306.4, Permitted Use Chart, concerning the location of go-cart tracks in Heavy Commercial districts, and set a public hearing for July 24, 1986, at 9:00 a.m.

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.

- q. Resolution to consider amendment #1 of 1984 FAA Grant #3-43-0002-03. The Resolution is numbered 33-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENT TO GRANT AGREEMENT FROM THE FEDERAL AVIATION ADMINISTRATION FOR IMPROVEMENTS AT THE ABILENE MUNICIPAL AIRPORT.

6. **Award of Bid:**

- a. Lighting contract for the Airport- Bid #132. The bid was awarded to Pecan Valley Electric Co., and the Mayor was authorized to sign Change Order No. 1 to this contract.

Russ Evans, Executive Director of Abilene Regional Mental Health/Mental Retardation, gave a brief slide presentation on the operations of the Abilene Regional Mental Health/Mental Retardation Agency. No action was necessary.

Bob Whitehead, Director of Public Works, briefed the Council on an oral resolution to consider a street use license to Mason Gamble, Inc. for Lot 3, Block 21A, Section 2, Abilene Plaza Addition; for a fence and additional parking. Staff recommends approval of the fence; however, disapproval of the parking area due to the sight distance problem parking in this' area would cause.

Mr. Mason Gamble was present and requested the Council approve the entire request.

Councilman Robinson moved to approve, by oral resolution, the street use license as requested by Mason Gamble, for both parking area and the fence. The motion was seconded by Mayor Stubbeman and the motion carried.

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

Councilman McCaleb moved to remove from the table a resolution calling a special election authorizing the sale of bonds for certain capital improvements projects. 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.

Roy McDaniel, Assistant City Manager, briefed the Council on the proposed bond election, of which five propositions for capital improvement projects are included. If the election receives favorable consideration, \$10.2 million will be sold over a three year period, under specific conditions, with no tax increase for debt service.

Councilwoman Ray moved to approve the Resolution calling a special bond election for September 23, 1986, as presented by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

The Resolution is numbered 34-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CALLING A CITY ELECTION.

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.

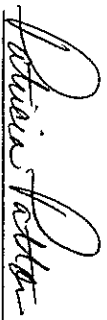
The Council reconvened from executive session and reported no action taken.

Councilman Nixon moved to appoint Nancy Richards, Jennifer Fowlkes, and Nathan Wood to Abilene Clean and Proud, Inc. All three members are designated to fill vacated positions with a term that will expire November, 1987. The motion was seconded by Councilman Fogle and the motion carried.

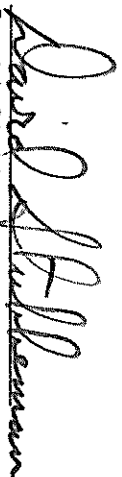
AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Robinson, Nixon, and Mayor Stubbeman.

NAYS: None.

There being no further business, the meeting was adjourned at 10:30 a.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor