

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, August 14, 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, August 14, 1986, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Gary D. McCaleb, Betty Ray, Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilwoman Betty Ray.
3. APPROVAL OF MINUTES: Budget Work Session held July 21, 22, and 23, 1986; Pre-Council Work Session and Regular City Council Meeting held July 24, 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. Consider on first reading - an ordinance changing zoning district boundaries - Z-6886 - Request from Gordon Asbury, Jr., Trustee, to rezone from RM-3 (Residential Multi-family) to LC (Limited Commercial) district property located at Jennings Dr. & Dub Wright Blvd., and set a public hearing for August 28, 1986, at 9:00 a.m.
 - b. Consider on first reading - an ordinance changing zoning district boundaries - Z-7086 - Request from J. J. Aguilar and Associates, Inc., & Century Properties, Inc., agent Eddie Chase, to rezone from SC, RM-3 & O, (Shopping Center, Residential Multi-Family & Office) to PDS (Planned Development Shopping) district property located at South 14th Street & Winters Freeway, and set a public hearing for August 28, 1986.
 - c. Consider on first reading - Zoning Ordinance amendment to Section 23-343.8, Conditions of Use, regarding Mixed Use Overlay Zone, provisions for thoroughfare access and liquor stores, and set a public hearing for August 28, 1986 at 9:00 a.m.
 - d. Consider on first reading - an ordinance changing zoning district boundaries - Z-6986 - Request from the City of Abilene, agent, Planning Department, to add MIX (Mixed Use Overlay) to underlying RM-2 (Residential Multi-Family) district, property located in the 200-

- e. Consider on first reading - an Ordinance changing zoning district boundaries - **Z-8086** - Request from Ira Duck to rezone from AO (Agricultural Open Space) to GC (General Commercial) district, property located on I-20, northeast side I-20 and E.N. 10th St., and set a public hearing for September 25, 1986 at 9:00 a.m.
 - f. Consider on first reading - an Ordinance changing zoning district boundaries - **Z-7786** - Request from Martin J. Haught to rezone from RS-6 (Residential Single Family) to HC (Heavy Commercial) district, property located at 201 N. 13th St., and set a public hearing for September 25, 1986 at 9:00 a.m.
 - g. Consider on first reading - an Ordinance changing zoning district boundaries - **Z-7986** - Request from I. S. Gathright, agent, Eddie Chase, to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, property located south of Canyon Rock Lake Addition, and set a public hearing for September 25, 1986 at 9:00 a.m.
 - h. Consider on first reading - an Ordinance for thoroughfare abandonment - **TC-7186** - Request from Don Joy for a thoroughfare abandonment being a 15-foot east-west alley and located between Sandefer & Ambler and Graham & Old Anson Road, and set a public hearing for September 25, 1986 at 9:00 a.m.
 - i. Consider on first reading - an Ordinance for thoroughfare abandonment - **TC-7286** - Request from Florence Howard Merrell for a thoroughfare abandonment, being a portion of a 20-foot alley and located between S. 3rd & S. 4th and Meander & Jeanette, and set a public hearing for September 25, 1986 at 9:00 a.m.
 - j. Consider on first reading - an Ordinance for thoroughfare abandonment - **TC-7486** - Request from Mack Owens for a thoroughfare abandonment, being a portion of a 20-foot alley located adjacent to 1141 N. Treadaway, and set a public hearing for September 25, 1986 at 9:00 a.m.
 - k. Consider on first reading - a Zoning Ordinance amendment to Section 23-320 and Section 23-329.4 concerning screening requirements, and set a public hearing for September 25, 1986 at 9:00 a.m.
 - l. Consider on first reading - a Zoning Ordinance amendment to section 23-306.4, Permitted Uses, concerning off-street parking for laundry and dry cleaning services, and set a public hearing for September 25, 1986, at 9:00 a.m.
 - m. Consider Street Use License Request from the Southwest Golf Classic.
 - n. Consider Street Use License Request from Mims Building, N. 3rd & Cypress.
 - o. Consider acceptance of FAA Grant Agreement for Airport Improvements Project No. 3-48-0002-05.
 - p. Resolution to consider authorizing a 30-day extension of contract with Abilene Economic Development Company, Inc.
 - q. Oral Resolution to formalize Abilene Library Consortium.
 - r. Resolution approving redesignation of the City of Abilene as area Metropolitan Planning Organization.
- 5. Award of Bid:**
- a. Paving for Airport Improvement Project No. 3-48-0002-05 - Bid #139.
 - b. Pipe for Water Utilities Department - Bid #141.
 - c. Microcomputers for Transportation Planning for the Planning and Public Works Departments - Bid #142.

REGULAR AGENDA

6. **Ordinances and Resolutions:**
 - a. **Public Hearing: Consider on second and final reading - an ordinance approving natural gas rates for Lone Star Gas.**
 - b. **Resolution to consider authorization for Eminent Domain Proceedings - Cedar Creek Widening Project Phase II (1-20 to Buck Creek).**

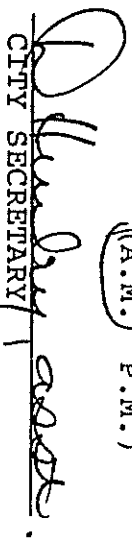
7. **Other Business:**
 - a. **Presentation of final report from the Lake Fort Phantom Hill Task Force.**
 - b. **Consider on first reading zoning ordinance amendments to regulate sex-oriented adult entertainment businesses, and set a public hearing for a future date.**
 - c. **Pending and Contemplated Litigation (see Notice for Executive Session, Litigation for listing subjects).**
 - d. **Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects).**

ADJOURN

CERTIFICATE

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 8 day of Sept., 19 86, at 8:30 o'clock

(A.M. P.M.)


CITY SECRETARY

PRE-COUNCIL WORK SESSION, THURSDAY
August 14, 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 **August 14, 1986**, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor David Stubbeman was present and presiding with Councilwoman Betty Ray, Councilmen Walter E. Wheat, A. E. Fogle, Jr., 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. Councilmen Gary D. McCaleb and Welton Robinson were absent.

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
August 14, 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 August 14, 1986, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Betty Ray.

Mr. Blagg presented a Certificate of Achievement to Director of Finance David Wright, from the Government Finance Officer's Association, for Excellence in Financial Reporting for Fiscal Year ending September 30, 1985.

The minutes of the Budget Work Session held July 21, 22 and 23, 1986; Pre-Council Work Session and Regular City Council Meeting held July 24, 1986, stand approved.

Councilwoman Ray moved to approve the consent agenda items, being 4a through 5c, as presented by the staff. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

4. Ordinances & Resolutions:

- a. Consider on first reading an ordinance changing zoning district boundaries -- Z-6886 -- Request from Gordon Asbury, Jr., Trustee, to rezone from RM-3 (Residential Multi-Family) to LC (Limited Commercial) district property located at Jennings Dr. & Dub Wright Blvd., and set a public hearing for August 28, 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.

- b. Consider on first reading -- an ordinance changing zoning district boundaries -- Z-7086 -- Request from J. J. Aguilar and Associates, Inc., & Century Properties, Inc., agent, Eddie Chase, to rezone from SC, RM-3, & O, (Shopping Center, Residential Multi-Family & Office) to PDS (Planned Development Shopping) district property located at South 14th Street & Winters Freeway, and set a public hearing fro August 28, 1986.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING FRENCHMAN'S CREEK PDS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- c. Consider on first reading a zoning ordinance amendment to Section 23-343.8, Conditions of Use, regarding Mixed Use Overlay Zone, provisions for thoroughfare access and liquor stores, and set a public hearing for August 28, 1986.

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.

- d. Consider on first reading an ordinance changing zoning district boundaries -- Z-6986 -- Request from the City of Abilene, agent, Planning Department, to add MX (Mixed Use Overlay) to underlying RM-2 (Residential Multi-Family) district, property located in the 200-500 blocks of Grape Street, west side, 300 block of Reading Street, east side, and set a public hearing for August 28, 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.

e. **APPEALED ITEM:**

Consider on first reading an ordinance changing zoning district boundaries - Z-0186- Request from Doyce F. Clouse to rezone from RS-6 (Residential Single Family) to L1 (Light Industrial) district, property located in the 3000 block of Elm Street, and set a public hearing for August 28, 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.

f. Consider on first reading - Zoning Ordinance amendment to Section 23-317.3.C(1), **Use and Area Requirements in Residential Districts**, regarding swimming pool accessory buildings, and set a public hearing for August 28, 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.

g. Consider on first reading an ordinance amending the Abilene Municipal Code, Section 23-171, **Special Regulations for Portable Signs**, and set a public hearing for August 28, 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.

h. Resolution authorizing amendment contract with Community Action Program for Handicapped van service. The Resolution is numbered 37-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE, TEXAS, APPROVING AN AMENDMENT TO THE CONTRACT WITH THE COMMUNITY ACTION PROGRAM, INC.

- i. Consider on first reading an ordinance amending the Abilene Municipal Code to add Section 18-304, to provide for designating disabled parking.

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.
- j. Consider on second and final reading an ordinance amending the Abilene Municipal Code, Chapter 18, Traffic, Sections 18-285 and 18-286, concerning speed limits; and Section 18-293, concerning parking prohibition.

The Ordinance is numbered 60-1986 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.
- k. Consider on second and final reading an ordinance establishing the position of Airport Security Officer to be employed by the City of Abilene.

The Ordinance is numbered 61-1986 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING THE POSITION OF AIRPORT SECURITY OFFICERS TO BE EMPLOYED BY THE CITY OF ABILENE.
- l. Oral Resolution to consider street use license request from Double O, Inc., d/b/a Taco Bell, located at Pine and Ambler, for parking.
- m. Oral resolution to consider street use license request from Wylie, Inc., 2574 N. Treadaway, for underground airline.
- n. Consideration of FY 1986 Community Development Block Grant Proposed Statement of Objectives and Projected Use of Funds.

The Resolution is numbered 38-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A PROPOSED STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1986.

6. **Award of Bids**

- a. Spare power plant for transit bus, **Bid #135**. The bid was awarded to Hughes Diesel of Tye, Texas.
- b. Bulk Lime for Water Utilities Department, **Bid #138**. The bid was awarded to Chemical Lime Company.
- c. Diesel fuel conditioner, **Bid #136**. The bid was awarded to Hydrotex of Mansfield, Texas.

John Hancock, Principal Planner, briefed the Council on an appealed ordinance considered on second and final reading -**Z-3586** - Request from James A. Jay to rezone from RM-1 to MU district, property located at the northeastern corner of North 21st and Simmons Street. The Planning and Zoning Commission, as well as staff, recommend disapproval 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 Wheat moved to deny the request to rezone from RM-1 to MU district as recommended by staff. The motion was seconded by Councilman Nixon and the motion carried.

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

The request was **DENIED**.

Staff instructed Council to table Item 6b, Z-4386 - an appealed request from J. J. Aguilar and Associates, agent, Eddie Chase, to rezone from O, SC, and RM-3 to PDS district property located on South 14th Street at South Danville and Frenchman's Creek Road; and Item 6c, TC-4486 - an appealed request from J. J. Aguilar and Associates, Inc., agent Eddie Chase, for a thoroughfare abandonment for a portion of Frenchman's Creek Road. Staff indicated that the proponent has made a third request, which will be heard by the Council on August 28th. It is suggested that the Council table these two requests in order that all three requests may be considered on August 28, 1986.

Councilman Fogle moved to table the aforementioned requests to rezone from O, SC, and RM-3 to PDS property located on South 14th Street at South Danville and Frenchman's Creek Road and for a thoroughfare abandonment of a portion of Frenchman's Creek Road as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried.

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

Roy McDaniel, Assistant City Manager, briefed the Council on a Resolution to consider refunding bonds for Abilene Christian University. The Abilene Higher Education Facilities Corporation has authorized the issuance of the refunding bonds. Additionally, in order to take advantage of the favorable bond market, the Corporation is requesting the City Council waive the 30-day notification requirement. Staff recommends approval.

Councilwoman Ray moved to approve the Resolution for refunding bonds for Abilene Christian University as recommended by staff and including waiving the 30-day notification requirement. The motion was seconded by Councilman Nixon and the motion carried.

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

The Resolution is numbered 39-1986 and is captioned as follows:

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

Lee Roy George briefed the Council on a resolution adopting the Southeast Area Land Use Plan. He began the presentation with a briefing on how the Southeast Area Land Use Plan was initiated. Bob Payne, Principal Planner, reviewed the Plan, in detail, with the Council.

Councilman Fogle moved to approve the adoption of the Southeast Area Land Use Plan as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

The Resolution is numbered 40-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE SOUTHEAST LAND USE PLAN - 1986.

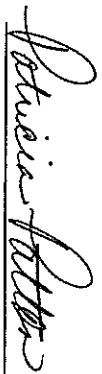
James Condry, Director of Traffic and Transportation, briefed the Council on an oral Resolution adopting the operating policy for the Abilene Transit System Demand-Responsive Paratransit Service.

Councilman Nixon moved to approve the oral Resolution to adopt the operating policy for the Abilene Transit System Demand-Responsive Paratransit Service as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried.
AYES: Councilwoman Ray, Councilmen Wheat, Fogle, Nixon, and Mayor Stubbeman.
NAYS: None.

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.

There being no further business, the meeting was adjourned at 10:00 a.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor