

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 28, 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 28, 1986, at 9:00 a.m.

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

1. Call to Order.
2. INVOCATION: Councilman A. E. Fogle, Jr.
3. APPROVAL OF MINUTES: Pre-Council Work Session and Regular City Council Meeting held August 14, 1986.
4. EMPLOYEE SERVICE AWARDS:

Glenn Meeks	Airport Manager	40 years
Albert E. Hoppe	Police Officer	30 years
Jose A. Arredondo, Jr.	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 to add Section 18-304, to provide for designating disabled parking.
  - b. Oral resolution to consider lease agreement between the City and the F.A.A. for the Abilene Airport Traffic Control Tower/Flight Service Station.
  - c. Resolution to consider authorizing submission of a grant pre-application to the Texas Historic Commission.
6. Award of Bid:
  - a. Skid Mounted vacuum sweeper for Street Services Division - Bid #140.

**REGULAR AGENDA**

7. **Ordinances and Resolutions:**
- a. **Public Hearing** - Consider on second and final reading - an ordinance approving revised budget for FY 1985-86 and adopting a budget for FY 1986-87, including Revenue Sharing and Community Development funds; Consider on second and final reading - an ordinance amending the Abilene Municipal Code, Chapter 30, "TAXATION", concerning the Hotel and Motel Occupancy Tax; Consider on second and final reading - An ordinance amending the Abilene Municipal Code, various Chapters, and adopting the User Fee Study; Resolution to consider adopting various user fees (Supersedes Resolution #35-1986); Resolution to consider approving final statement of Community Development objectives and projected use of funds.
  - b. **Public Hearing** - Consider on second and final reading- An ordinance approving the assessment roll for 1986 and setting a tax rate for FY 1986-87.
  - c. **Public Hearing** - Consider on second and final 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.
  - d. **Public Hearing** - Consider on second and final 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.
  - e. **Remove From Table:**  
**APPEALED ITEM** - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-4386 - 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.
  - f. **Remove From Table:**  
**APPEALED ITEM** - Consider on second and final reading - an ordinance for 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.
  - g. **Public Hearing** - Consider on second and final reading - Zoning Ordinance amendment to Section 23-343.8, Conditions of Use, regarding Mixed Use Overlay Zone, provisions for thoroughfare access and liquor stores.
  - h. **Public Hearing** - Consider on second and final 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.

- i. **APPEALED ITEM:**
  - Public Hearing** - Consider on second and final 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.
  - j. **Public Hearing** - Consider on second and final reading - Zoning Ordinance amendment to Section 23-317.3.C(1), Use and Area Requirements in Residential Districts, regarding swimming pool accessory buildings.
  - k. **Public Hearing** - Consider on second and final reading - an ordinance amending the Abilene Municipal Code, Section 23-171, Special Regulations for Portable Signs.
  - l. **Public Hearing** - Oral Resolution to consider O11 & Gas Drilling Permit #8601 from Schkade Brothers Operating Company located north of Military Drive and south of U. S. Highway 80.
- 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  
August 28, 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 28, 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  
August 28, 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 28, 1986, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman A. E. Fogle.

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

Mayor Stubbeman presented Employee Service awards to the following individuals for their tenure of service to the City of Abilene: Glenn Meeks, Airport Manager, 40 years; Albert E. Hoppe, Police Officer, 30 years; and Jose A. Arrondono, Jr., Refuse Collection, 20 years.

Councilwoman Ray moved to approve the consent agenda items, being 5a through 6a, as presented by the staff. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

#### 5. Ordinances & Resolutions:

- a. Consider on second and final reading an ordinance amending the Abilene Municipal Code to add Section 18-304, to provide for designated disabled parking.

The Ordinance is numbered 52-1986 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. Oral resolution to consider lease agreement between the City and the F.A.A. for the Abilene Airport Traffic Control Tower/Flight Service Station.
- c. Resolution to consider authorizing submission of a grant pre-application to the Texas Historic Commission.

The Resolution is numbered 41-1986 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE SUBMISSION OF CERTIFIED LOCAL GOVERNMENT GRANT PRE-APPLICATIONS.

6. Award of Bid:

- a. Skid Mounted vacuum sweeper for Street Services Division - Bid **\$140**. The bid was awarded to Patton Equipment.

Mike Morrison, Housing and Community Development Administrator, briefed the Council on the proposed Community Development budget and reviewed each request for funding in detail. Additionally, he specifically addressed the request from the Abilene Economic Development Company, Inc. He presented his report and evaluation of that organization to the Council as they requested him to do during the budget sessions held in July.

Terry Meza, Executive Director, appeared before Council to report on her organization's accomplishments over the past two years and future goals and objectives. Said report was provided to Council in writing by letter dated August 22, 1986. Councilman Nixon asked Terry if she had an alternate plan for reorganization of personnel if the Council cut their request. She responded that she did not at the present time, but could prepare one if requested to do so.

Mayor Stubbeman opened a public hearing on the proposed use of Community Development funds and the following individuals spoke in favor of the following programs:

The following individuals encouraged Council to continue funding the Call for Help program for the entire fiscal year and expressed appreciation for past support.

Call for Help

- Ed Knight, Christian Concern Committee of the First Central Presbyterian Church.
- David Hamlin, Senior Pastor, St. Paul United Methodist Church.
- Tom Schluetter, Pastor, Grace Lutheran Church.
- Lester Garrett, representing Southside Baptist Church.
- Marthe Harmon, 501 Oxford.
- Charles Chatham, Reverend, St. Mark's Episcopal Church.
- Dell J. Crockett, Pastor, Zion Lutheran Church.
- Les Burrus, St. Paul United Methodist Church.
- Mary Katherine Smith, housewife.
- Becky Cannon, Abilene Community Church.
- Kim K-Watrous, former citizen of Abilene and ex-Director of Call for Help.
- Pat Nichol, Ridgemont Baptist Church.
- Waymond Pital, Democrat's Church of Christ, 1466 Marsalis Dr.
- Sharon Streeter, 1102 N. 3rd Street.
- Beth Deegan, ex-Director, Methodist Service Center.
- Barbara Miers, 4426 S. 20th Street.
- Juanita Stevens, Aldersgate United Methodist Church.
- Katherine Downs, Methodist Service Center.
- Ellen Turner, volunteer at Call for Help.
- Sandy Saringer, Ex-Director of Call for Help.

Agape

- Tom Winter, Chairman of the Board, Agape for Children and Youth. He stated that this is a one-time request for funds in order to handle the tremendous increase in requests for services. Agape is not a United Way member.

The following individuals encouraged the Council not to close Stevenson Park Pool, but to reconsider funding for the pool to continue to operate.

Stevenson Park Pool

- Sharon Streeter, 1102 N. 3rd Street, requested to change the name of the Park to Martin Luther King, Jr. Park.
- Isalah Moreland, 837 Ash Street, suggested that the Council work to enrich the pool and park by possibly providing a strong snack bar facility.
- T. C. Ollphant, Pastor, Macedonia Baptist Church, 610 Ash Street, suggested that if the Council fund the pool, he and the community churches would attempt to sponsor swimming programs, transport children to the pool to participate, and pay the cost of the program.
- Arthur Pierson, 724 Pine.
- Don Brown, ex-employee and lifeguard at the pool.
- Michael Mellen, 1410 Ash Street, suggested that a fee of 25 cents per person be charged to use the sport field areas of Redbud, Will Hair, Nelson and Rose Parks, which contain football, soccer, and baseball fields. He suggested that these sports fields require high maintenance costs and should be put on a self-supporting basis. Perhaps these funds generated could be transferred to maintain Stevenson Pool.

AEDC

- Carlos Rodriguez, 1402 N. Jefferson, President AEDC Board of Directors, spoke in regard to continued support and funding for the AEDC. Councilman Fogle stated that the Council is concerned with the effectiveness of the organization. He is concerned with the discrepancies in the figures in the reports on AEDC, (the staff report versus AEDC report). Mr. Rodriguez responded that he has not, nor has the rest of the AEDC Board, had an opportunity to review the staff report fully. It appears the report is concise. However, it also appears that it only covers approximately 12% of the clients served by the agency. He wonders if 12% is enough to get a good view on the effectiveness of the agency. The Board would like to respond to the staff report.

The following individuals encouraged the Council to continue funding the Abilene Economic Development Company, Inc.

- Cecil Cox, Old South Mattress Company, 1142 Poplar. He is a client of AEDC and received assistance from them.
- Henry Flint, Henry's Services, Inc., 5810 Atlantic Drive. He is a client of AEDC and received assistance from them.
- Efren Villanueva, E&E Co. (Abilene Loan & Pawn). He is a client of AEDC and received services.
- Arthur Pierson, Neighborhood Auto, 724 Pine. He is a client of AEDC and received services.

There being no one else present and desiring to be heard, the public hearing on the Community Development portion of the budget was closed.

Mr. Blagg reviewed the proposed budget for FY 86/87, including specific changes made in the budget by Council on July 23, 1985. Additionally, he recommends to add the operation of the Tennis Center at Rose Park back into the budget based on a revised contract with the tennis pro. (Expense of \$26,930; Revenue \$27,250).

Mayor Stubbeman opened a public hearing on the remainder of the Budget, including Revenue Sharing, and the following individuals spoke:

- Jim Posey, representing Senior Citizens, spoke in regard to the User Fee Study, and in opposition to increases in fees. He suggested to decrease water rates to \$2.00/2,000 gallons.
- Rick Meyers, representing Rose Park Tennis Center. He spoke in favor of the Tennis Center and introduced President of the Texas Tennis Association, Austin, Barbara Smith; Jo Baxter representing the Womens Tennis Association; David Scarborough & Woody Brown, representing the Mens Tennis Scramble; Brad Walker, representing Junior players in Abilene; Sherry Curnutt, representing Abilene Independent School District; Susie Wright, representing Volvo U. S. Tennis Association.
- Kim Gidley, supports the Rose Park Tennis Center.
- Pat Nichol supports the Rose Park Tennis Center.

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

Mayor Stubbeman opened a public hearing regarding the tax rate, and there being no one present and desiring to be heard, the public hearing was closed.



Each Council member expressed their feelings in regard to changes to the Community Development budget. After some discussion, Councilman McCaleb moved to adopt the projected use of FY 1986 Community Development funds as presented and with the following changes:

1. Reduce Agape-Medical Assistance Program from \$15,000 to \$5,200.
2. Delete Rendering Aid to People request (\$29,735).
3. Increase Call for Help Program from \$35,000 to \$67,000.

Therefore, the Community Development budget is adopted as follows:

<u>Activity</u>	<u>Funding</u>
Community Development Program Administration	\$ 207,000
Housing Rehabilitation Administration	100,000
Abilene Economic Development Company	125,000
Grant/Loan Program	253,784
Rental Rehabilitation Program	20,000
Emergency Repair Program	60,000
Cedar Creek Improvements (Engineering, Right-of-Way)	50,000
Agape-Medical Assistance Program	5,200
Carver Park Recreation Center Parking Lot	25,000
Zoning Enforcement	31,081
Condemnation and Rehabilitation Program	61,400
YMCA Juvenile Justice Program	62,500
Call for Help Information and Referral	67,000
Contingency	<u>30,035</u>
TOTAL	\$1,098,000

Additionally, that the funds for AEDC be temporarily approved and that the AEDC Board report back to the Council within 60 days in regard to: (1) discrepancies in the staff report and evaluation on AEDC versus AEDC's report of activities; and (2) an estimate on what impact a reduction of funds in the amount of \$25,000 would have on the agency's operation.

Also, that the Parks and Recreation Board immediately initiate a study in regard to Stevenson Park Pool to analyze the following and include input from neighborhood citizens:

- the reason for under-utilization, location, cost, impact of accessibility and transportation of people, concern of pool availability to the north side of Abilene.

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.

Councilman McCalieb moved (1) to amend the proposed 86/87 budget to include a \$27,250 in revenues and \$26,930 reduction in expenses to accommodate the continued operation of the Tennis Center at Rose Park and funding for the Tennis Pro; to approve an ordinance on second and final reading approving the revised budget for FY 1985-86 and adopting a budget for FY 1986-87 as amended; and including Revenue Sharing and Community Development funds; (2) to approve on second and final reading an ordinance amending the Abilene Municipal Code, Chapter 30, Taxation, concerning the Hotel and Motel Occupancy Tax; (3) to approve on second and final reading an ordinance amending the Abilene Municipal Code, various chapters, concerning fees and charges; (4) approve a Resolution adopting various user fees and adopting the User Fee Study; and (5) approve a resolution approving the final statement of Community Development objectives and projected use of funds. The motion was seconded by Councilwoman Ray and the motion carried.

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

The Ordinances and Resolutions are numbered and captioned as follows:

65-1986

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 1985-1986; APPROVING AND ADOPTING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 1986, THROUGH SEPTEMBER 30, 1987, FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; CALLING A PUBLIC HEARING.

64-1986

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 30, "TAXATION" OF THE ABILENE MUNICIPAL CODE; PROVIDING FOR A PENALTY, SEVERABILITY CLAUSE, EFFECTIVE DATE AND CALLING A PUBLIC HEARING.

65-1986

AN ORDINANCE AMENDING CHAPTER 6, "ANIMALS AND FOWL", CHAPTER 8 "CONSTRUCTION REGULATIONS", CHAPTER 11, "FOOD AND FOOD HANDLERS", CHAPTER 13, "HEALTH AND SANITATION", CHAPTER 16, "MASSAGE ESTABLISHMENTS", CHAPTER 20, "OFFENSES", CHAPTER 21, "OIL AND GAS", CHAPTER 22, "PARKS AND RECREATION", CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT", AND CHAPTER 29, "STREETS AND SIDEWALKS", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW.

**RESOLUTION 42-1986**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING CERTAIN FEE SCHEDULES, DIRECTING THE CITY MANAGER AND THE STAFF TO CONDUCT COST STUDIES AND ESTABLISH FEES, ACCEPTING THE USER FEE STUDY, AND ESTABLISHING AN EFFECTIVE DATE.

**RESOLUTION 43-1986**

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

Councilman Wheat moved to approve on second and final reading an ordinance approving the assessment roll for 1986 and setting a tax rate for FY 1986-87. 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 **66-1986** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 1986, LEVYING AN AD VALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR THE YEAR 1986; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - **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. The Planning and Zoning Commission, as well as staff, recommend approval, subject to a provision of a landscaped area between the curb or edge of pavement along Dub Wright and the paralleling property line on this tract.

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

- Gordon Asbury, proponent.

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

Councilman Robinson moved to approve the ordinance, on second and final reading, for Z-6886, as recommended by the staff and including the provision for landscaping. 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 67-1986 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-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. The Planning and Zoning Commission recommends approval of the request. Staff recommends approval, except for the proposal to reduce the required number of parking spaces.

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

- Burl McAllister, representing the proponents, agreed to provide the required parking spaces.

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 Z-7086, with parking requirements being met, as presented by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman Robinson.

The ordinance is numbered 68-1986 and is captioned as follows:

AN ORDINANCE 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.

Councilman McCaleb moved to remove from the table appealed items **Z-4386** - 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 TC-4486 - Request from J. J. Aguilar and Associates, Inc., agent Eddle Chase, for a thoroughfare abandonment for a portion of Frenchman's Creek Road. The motion was seconded by Councilman Wheat and the motion carried.

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

Councilman Fogle moved to deny request Z-4386 and TC-4486 as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried. AYES: Councilman McCaleb, Councilwoman Ray, Councilmen Wheat, Fogle, Roblnson, Nixon, and Mayor Stubbeman.  
NAYS: None.

The requests were **DENIED**.

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading - Zoning Ordinance amendment, to Section 23-343.8, Conditions of Use, regarding Mixed Use Overlay Zone, provisions for thoroughfare access and liquor stores. 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.

Councilman McCaleb moved to approve the request, on second and final reading, as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

The ordinance is numbered **69-1986** 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 - 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. The Planning and Zoning 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.

Councilwoman Ray moved to approve the request for Z-6986, on second and final reading, as recommended by 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.

NAYS: None.

The ordinance is numbered 70-1986 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 appealed ordinance considered on second and final reading - Z-0186 - Request from Doyce F. Clouse to rezone from RS-6 (Residential Single Family) to LI (Light Industrial) district, property located in the 3000 block of Elm Street. The Planning and Zoning Commission, as well as staff, recommend disapproval of the request, based upon the inconsistent use of the property with the recently adopted Southeast Study.

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

• Doyce Clouse, proponent. He withdrew from consideration the west-side tract.

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

Councilman Robinson moved to approve the east side tract of the request only, for Z-0186. 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 Z1-1986 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.

Tony Neitzler, Assistant Director of Planning, briefed the Council on an ordinance considered on second and final reading - Ordinance amendment to Section 23-317.3.C(1), Use and Area Requirements In Residential Districts, regarding swimming pool accessory buildings. The Planning and Zoning Commission, as well as staff, recommend 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 Fogle moved to approve the request to amend Section 23-306.4, on second and final reading, as recommended by 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.  
NAYS: None.

The ordinance is numbered 72-1986 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.

Lee Roy George, Director of Planning, briefed the Council on an ordinance amending the Abilene Municipal Code, Section 23-171, Special Regulations for Portable Signs. Tony Neitzler, Assistant Director of Planning, gave a slide presentation on the past and present visual change in the City since the sign regulations were enacted. 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 there being no one present and desiring to be heard, the public hearing was closed.

Councilman McCaleb moved to approve the ordinance amendment as recommended by staff. The motion was seconded by Councilman Fogle and the motion carried.

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

The ordinance is numbered 73-1986 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.

Sandra Troskey, Land Agent, briefed the Council regarding an Oral Resolution to consider Oil & Gas Drilling Permit #8601 from Schkade Brothers Operating Company located north of Military Drive and south of U. S. Highway 80. Staff recommends 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, by oral resolution, Oil & Gas Drilling Permit #8601 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.

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 3:15 p.m.

  
Patricia Patton  
City Secretary

  
David Stubbeman  
Mayor