

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, September 25, 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, September 25, 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 McCaleb.
3. APPROVAL OF MINUTES: Pre-Council Work Session and Regular City Council Meeting held September 11, 1986.
4. **EMPLOYEE SERVICE AWARDS:**

30 Years	Raymond L. Hillin	Equipment Operator, Refuse
25 Years	Cecil D. Ellis	Maintenance Worker, Refuse
25 Years	T. C. Edmondson, Jr.	Senior Firefighter
25 Years	Bobby J. Sartor	Fire Captain
25 Years	Billy M. Welch	Fire District Chief
25 Years	Jerry Mitchell	Police Officer
20 Years	Leranzo Thomas	Equipment Operator, Refuse
20 Years	Mildred J. Shirley	Senior Library Assistant
20 Years	Roy Franklin	Fire District Chief
20 Years	B. B. Henderson	Warehouse Supervisor, Water

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 to consider authorizing issuance of bonds and approving documents (Mesa Springs Retirement Village, Inc.).
 - b. Resolution to commence procedure to close landfill situated on Abilene Brick Company property.
6. **Award of Bid:**
 - a. Stationary compactor and one (1) open top container for Refuse Collection Division - Bid #144.
 - b. Cobb Park Recreation Center Expansion - Bid #143.

REGULAR AGENDA

- 7. Ordinances and Resolutions:**
- a. Resolution to canvass results of Special City Bond Election held September 23, 1986.
 - b. **Public Hearing - Consider on second and final reading - an Ordinance** changing zoning district boundaries - **Z-7586** - Request from Don C. Garrett to add H (Historic Overlay) to underlying RM-3 (Residential Multi-Family) district, located at 1636 N. 20th St.
 - c. **Public Hearing - Consider on second and final reading - an Ordinance** changing zoning district boundaries - **Z-7686** - Request from Jim & Cynthia Matthews to add H (Historic Overlay) to underlying RM-2 (Residential Multi-Family) district, located at 1546 N. 5th St.
 - d. **Public Hearing - Consider on second and final reading - an Ordinance** changing zoning district boundaries - **Z-6786** - Request from Antilley Medical Plaza, agent, Charles A. McClure III, for an ordinance amendment to a PDMX (Planned Development Mixed Use) district, located on Antilley Road between the Fairways and Humana Hospital.
 - e. **Public Hearing - Consider on second and final reading - an Ordinance** changing zoning district boundaries - **Z-7386** - Request from R. J. Griffith, agent, Lyle Dalzell, to rezone from AO (Agricultural Open Space) to P1, L1, GC, and SC (Park Industrial, Light Industrial, General Commercial & Shopping Center) districts, located on I-20, north side northwest of E.N. 10th.
 - f. **Public Hearing - Consider on second and final 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.
 - g. **Public Hearing - Consider on second and final 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.
 - h. **Public Hearing - Consider on second and final 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.
 - i. **Public Hearing - Consider on second and final 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.
 - j. **Public Hearing - Consider on second and final 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.
 - k. **Public Hearing - Consider on second and final reading - a Zoning Ordinance amendment** to Section 23-320 and Section 23-329.4 concerning screening requirements.
 - l. **Public Hearing - Consider on second and final reading - a Zoning Ordinance amendment** to section 23-306.4, Permitted Uses, concerning off-street parking for laundry and dry cleaning services.

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
September 25, 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 September 25, 1986, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor David Stubbeman was present and presiding with Councilmen Gary D. McCalieb, 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. Councilwoman Betty Ray was 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
September 25, 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 September 25, 1986, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Gary McCalieb.

The minutes of the Pre-Council Work Session and Regular City Council Meeting held September 11, 1986, stand approved.

Mayor Stubbeman presented Employee Service awards to the following individuals for their tenure of service to the City of Abilene: Raymond L. Hillin, Equipment Operator, Refuse, 30 years; Cecil D. Ellis, Maintenance Worker, Refuse, 25 years; T. C. Edmondson, Jr., Senior Firefighter, 25 years; Bobby J. Sartor, Fire Captain, 25 years; Billy M. Welch, Fire District Chief, 25 years; Jerry Mitchell, Police Officer, 25 years; Mildred J. Shirley, Senior Library Assistant, 20 years; and Roy Franklin, Fire District Chief, 20 years.

Jim Blagg introduced Mr. and Mrs. Wes Robinson, of Elizabeth, Australia. Mr. Robinson is Town Clerk of Elizabeth and is on an exchange visit to Texas as part of the sesquicentennial celebrations between Texas and South Australia. Mr. Robinson expressed his appreciation of the City's hospitality. He read a proclamation of friendship to the City of Abilene from the City of Elizabeth, and presented a lapel pin to each Council member.

Councilman McCaleb moved to officially welcome Mr. Robinson and his wife to the City of Abilene and to note that we are pleased to have this sister-city relationship with the City of Elizabeth, and hope that this relationship not only symbolically, but in some very real ways, might foster a spirit of peace and goodwill throughout our world. The motion was seconded by Councilman Nixon and the motion carried.

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

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

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

NAYS: None.
ABSTAIN: Councilman Fogle on item 5a only.

5. **Ordinances & Resolutions:**

a. Resolution to consider authorizing issuance of bonds and approving documents (Mesa Springs Retirement Village, Inc.).

The Resolution is numbered **53-1986** 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.

b. Resolution to commence procedure to close landfill situated on Abilene Brick Company property.

The Resolution is numbered **54-1986** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING CITY STAFF TO COMMENCE THE PROCEDURE TO OFFICIALLY CLOSE THE LANDFILL (PROPERTY OWNED BY ABILENE BRICK COMPANY).

6. **Award of Bid:**

a. Stationary compactor and one (1) open top container for Refuse Collection Division - Bid #144. Staff is requesting Council to purchase one compactor and one open top container at this time, and authorize the option to be exercised if demand calls for one or both of these additional containers within the next six months, contingent upon availability of funds. The bid was awarded to Duncan Equipment Company.

b. Cobb Park Recreation Center Expansion - Bid #143. The bid was awarded to Benchmark Company.

Patricia Patton, City Secretary, briefed the Council on a Resolution Canvassing the Returns of the Special Bond Election held September 23, 1986.

The Mayor has received from the U. S. Postal Service a copy of the Ballot and Seal Certificates from each election judge and releases same to the City Secretary for filing.

Councilman Fogle moved to adopt the Resolution Canvassing the Returns of the Special Bond Election held September 23, 1986, as presented by staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

The Resolution is numbered 55-1986 and is captioned as follows:

RESOLUTION CANVASSING ELECTION RETURNS

John Hancock, Principal Planner, briefed the Council on an ordinance considered on second and final reading -- Z-7586 -- Request from Don C. Garrett to add H (Historic Overlay) to underlying RM-5 (Residential Multi-Family) district, located at 1636 N. 20th St. The Planning and Zoning Commission, the Landmarks Commission and the staff, recommend approval of this request.

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

- Mrs. Garrett, proponent.

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-7586, as recommended by the staff. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

The ordinance is numbered 75-1986 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-7686** - Request from Jim & Cynthia Matthews to add H (Historic Overlay) to underlying RM-2 (Residential Multi-Family) district, located at 1546 N. 5th St. The Planning and Zoning Commission, the Landmarks Commission, and the 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 Robinson moved to approve the ordinance, on second and final reading, for **Z-7686**, as presented by staff. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

The ordinance is numbered **76-1986** 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-6786** - Request from Antilley Medical Plaza, agent, Charles A. McClure III, for an ordinance amendment to a PDMX (Planned Development Mixed Use) district, located on Antilley Road between the Fairways and Humana Hospital. The Planning and Zoning Commission recommends approval; staff recommends approval of an amended request which offers an option of freestanding signs or wall signs for medical and dental offices, but not both.

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 request, on second and final reading, as recommended by staff. The motion was seconded by Councilman Fogle and the motion carried.

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

NAYS: None.

The ordinance is numbered **77-1986** 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. 49-1985, CONCERNING THE HUMANA WEST 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-7386**- Request from R. J. Griffith, agent, Lyle Dalzell, to rezone from AO (Agricultural Open Space) to P1, L1, GC, and SC (Park Industrial, Light Industrial, General Commercial & Shopping Center) districts, located on I-20, north side northwest of E.N. 10th. 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.

Councilman Fogle moved to approve the request for Z-7386, on second and final reading, as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman Robinson.

The ordinance is numbered **Z8-1986** 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-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. 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 Nixon moved to approve the request for Z-8086 as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried.

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

NAYS: None.

The ordinance is numbered 79-1986 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-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. 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 McCaleb moved to approve the request for Z-7986 on second and final reading, as recommended by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

The ordinance is numbered 80-1986 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-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. The Planning and Zoning Commission, as well as staff, recommends approval of this request subject to retention of the full length and width of the alley as a 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 Robinson moved to approve the request for thoroughfare closure as recommended by staff. The motion was seconded by Councilman Fogle and the motion carried.

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

The ordinance is numbered **81-1986** 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 - **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. The Planning and Zoning Commission, as well as staff, recommend approval of this request subject to retention of the full length and width of the alley as a utility and drainage 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 request for thoroughfare closure as recommended by staff. The motion was seconded by Councilman Wheat and the motion carried.

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

The ordinance is numbered **82-1986** 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 - **TC-7486** - Request from Mack Owens for a thoroughfare abandonment, being a portion of a 20-foot alley located adjacent to 1141 N. Treadaway. The Planning and Zoning Commission, as well as staff, recommend approval of this request subject to retention of the full length and width of the alley as a 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 Robinson moved to approve the request for thoroughfare closure as recommended by staff. The motion was seconded by Councilman Nixon and the motion carried.

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

NAYS: None.

The ordinance is numbered 83-1986 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 - a Zoning Ordinance amendment to Section 23-320 and Section 23-329.4 concerning screening requirements. 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 there being no one present and desiring to be heard, the public hearing was closed.

Councilman Wheat moved to approve the request for zoning ordinance amendment as recommended by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The ordinance is numbered 84-1986 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 - a Zoning Ordinance amendment to section 23-306.4, Permitted Uses, concerning off-street parking for laundry and dry cleaning services. 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 Nixon moved to approve the request for zoning ordinance amendment as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: None.
The ordinance is numbered 85-1986 and is captioned as follows:

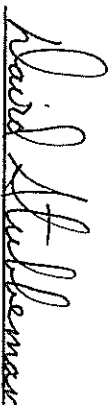
AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

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 10:40 a.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor