

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, **December 4, 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, **December 4, 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 November 20, 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. Oral Resolution authorizing Mayor to execute a water supply contracts with the Cities of Merkel and Tye.
 - b. Consider on first reading - an ordinance changing zoning district boundaries - **Z-09686** - request from Belco Manufacturing to rezone property from HC (Heavy Commercial) to LI (Light Industrial) district, located at 1400 Overland Trail, and set a public hearing for December 18, 1986, at 9:00 a.m.
 - c. Consider on first reading - an ordinance amending the Zoning Ordinance, Section 23-306.4, **Permitted Use Chart**, to allow pipe storage in HC (Heavy Commercial) zoning districts, and set a public hearing for December 18, 1986, at 9:00 a.m.
 - d. Consider on first reading - an ordinance changing zoning district boundaries - **Z-08186** - request from Aileen, In., agent, Boone Pope Wheeler Pullin, Inc., to rezone property from LI (Light Industrial) to PDI (Planned Development Industrial) zoning district, located at 1000 East I-20, and set a public hearing for December 18, 1986, at 9:00 a.m.

- e. Consider on first reading - an ordinance changing zoning district boundaries - **Z-09886** - request from P. J. Little/Alvis Underwood to rezone property from RS-6 (Residential Single Family) to HI (Heavy Industrial) district, located on Jamaica Street, east of Grape Street and west of Pine Street, and set a public hearing for December 18, 1986, at 9:00 a.m.
- f. Consider on first reading - an ordinance for Thoroughfare Closure - **TC-04486** - request from J. J. Aguilar and Associates, agent, Eddie Chase, to abandon a portion of Frenchman's Creek Road, and set a public hearing for December 18, 1986, at 9:00 a.m.
- g. Consider on first reading - a street name change ordinance - **SNC-10186** - request from Abilene Village Shopping Center, agent, Karen Dempsey, for street name change of Turner Plaza to Turner Drive and set a public hearing for December 18, 1986, at 9:00 a.m.
- h. Consider on first reading - an ordinance changing zoning district boundaries - **Z-1979** - request from Orville D. Colyer, agent, Bill Tippen, to rezone property from RS-6 (Residential Single Family) to HI (Heavy Industrial) district, located at 4242 Grape Street (west 1/2 of 5 acre tract), and set a public hearing for December 18, 1986, at 9:00 a.m.

5. Award of Bid:

- a. Repairing, Cleaning & Painting four elevated water storage tanks - **Bid #154.**

REGULAR AGENDA

6. Ordinances & Resolutions:

a. APPEALED ITEM:

- Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-09186 - request from Truett Gall to add H (Historic Overlay) zoning to underlying RS-6 (Residential Single Family) zoning, located at 2442 Old Anson Road.**
- b. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-09386 - request from Richard L. Godbout & Karen A. Godbout to add H (Historic Overlay) zoning to underlying RM-3 (Residential Multi-Family) zoning, located at 1802 Swenson.**
- c. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-09486 - request from Janice Allen Six to add H (Historic Overlay) zoning to underlying CB (Central Business) zoning, located at 644 Hickory.**
- d. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-09586 - request from Richard P. Ham to add H (Historic Overlay) zoning to underlying AO (Agricultural Open Space) zoning, located at 208 Berry Lane.**
- e. **Public Hearing - Consider on second and final reading - an ordinance changing zoning district boundaries - Z-09986 - request from Tom Bacon, agent, Tittle Luther Loving Architects, to add H (Historic Overlay) zoning to underlying CB (Central Business) zoning, located at 352 Cypress.**

7. **Other Business;**

- a. Discussion of Development Task Force Report.
- b. Discuss 9-1-1 Emergency Phone Service.
- 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

PRE-COUNCIL WORK SESSION, THURSDAY
December 4, 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 December 4, 1986, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore A. E. Fogle was present and presiding with Councilman Gary D. McCaleb, Councilwoman Betty Ray, Councilmen Walter Wheat, 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 Hancock and various members of the City Staff. Mayor David Stubbeman 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
December 4, 1986, 9:00 A.M.

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

Mayor Fogle reconvened the City Council of the City of Abilene, Texas, into Regular Session December 4, 1986, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Gary McCaleb.

The minutes of the Pre-Council Work Session and Regular City Council Meetings held November 20, 1986 stand approved.

Mayor Fogle removed from the agenda items 4b (Z-9686) and 4c, which were tabled until a later date by the Planning and Zoning Commission; and 4f (TC-4486), which was approved by the Planning and Zoning Commission subject to certain conditions being met prior to City Council consideration.

Councilwoman Ray moved to approve the consent agenda items, being 4a, 4d, 4e, 4g, 4h, and 5a, as presented by the staff. The motion was seconded by Councilman Wheat and the motion carried.

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

4. Ordinances & Resolutions:

- a. Oral Resolution authorizing Mayor to execute water supply contracts with the Cities of Merkel and Tye.
- b. Removed from Agenda.
- c. Removed from Agenda.
- d. Consider on first reading an ordinance changing zoning district boundaries - Z-08186 - request from Allien, Inc., agent, Boone Pope Wheeler Pullin, Inc., to rezone property from LI (Light Industrial) to PDI (Planned Development Industrial) zoning district, located at 1000 East I-20, and set a public hearing for December 18, 1986, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING NORTH JUDGE ELY PDI PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.
- e. Consider on first reading an ordinance changing zoning district boundaries - Z-09886 - request from P. J. Little/Alvis Underwood to rezone property from RS-6 (Residential Single Family) to HI (Heavy Industrial) district, located on Jamaica Street, east of Grape Street and west of Pine Street, and set a public hearing for December 18, 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. Removed from agenda.
- g. Consider on first reading a street name change ordinance - SNC-10186 - request from Abilene Village Shopping Center, agent, Karen Dempsey, for street name change of Turner Plaza to Turner Drive and set a public hearing for December 18, 1986, at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF TURNER PLAZA TO TURNER DRIVE.
- h. Consider on first reading an ordinance changing zoning district boundaries - Z-1979 - request from Orville D. Colyer, agent, Bill Tippen, to rezone property from RS-6 (Residential Single Family) to HI (Heavy Industrial)

district, located at 4242 Grape Street (west 1/2 of 5 acre tract), and set a public hearing for December 18, 1986, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 25, "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.

5. Award of Bid:

- a. Repairing, Cleaning & Painting four elevated water storage tanks - Bid #154. The bid was awarded to Don Carter Industrial Coatings, Wichita, Kansas.

John Hancock, Principal Planner, briefed the Council on an appealed item considered on second and final reading - Z-09186 - Request from Truett Ball to add H (Historic Overlay) zoning to underlying RS-6 (Residential Single Family) zoning, located at 2442 Old Anson Road. The Planning and Zoning Commission recommends disapproval, the Landmarks Commission as well as staff recommend approval.

Mayor Fogle opened a public hearing in regard to the aforementioned request and the following individual spoke in favor:

- . Truett Ball, 2442 Old Anson Road, proponent.

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

There were some concerns by Council in granting the historic zone (required for eligibility for Tax Abatement procedures) to the entire twenty (20) acre tract as compared to granting the zoning for the house and some improvements only. At the present time, the zoning ordinance provides that if Mr. Ball (or any future owner) chose to develop the twenty (20) acre tract, since it is zoned A0, a rezone application would be sought. At the time the rezone application is reviewed by City Council, the historic overlay zone could be altered or removed from the property.

Councilwoman Ray moved to approve the request for Z-9186 as recommended by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

The Ordinance is numbered 95-1986 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 item considered on second and final reading - Z-09386 - Request from Richard L. Godbout & Karen A. Godbout to add H (Historic-Overlay) zoning to underlying RM-3 (Residential Multi-Family) zoning, located at 1802 Swenson. The Landmarks Commission and the Planning and Zoning Commission, as well as staff, recommend approval.

Mayor Fogle opened a public hearing in regard to 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-9386 as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

The Ordinance is numbered 96-1986 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 item considered on second and final reading - Z-09486 - Request from Janice Allen Six to add H (Historic Overlay) zoning to underlying OB (Central Business) zoning, located at 644 Hickory. The Landmarks Commission, as well as the Planning and Zoning Commission and staff, recommend approval.

Mayor Fogle opened a public hearing in regard to 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 Z-9486 as recommended by staff. The motion was seconded by Councilman McCaleb and the motion carried.

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

NAYS: None.

The Ordinance is numbered 97-1986 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 item considered on second and final reading - **Z-09586** - request from Richard P. Ham to add H (Historic Overlay) zoning to underlying AO (Agricultural Open Space) zoning, located at 208 Berry Lane. The Landmarks Commission, as well as the Planning Zoning Commission and staff, recommend approval.

Mayor Fogle opened a public hearing in regard to 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-9586 as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

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

NAYS: None.

The Ordinance is numbered 98-1986 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 item considered on second and final reading - **Z-09986** - Request from Tom Bacon, agent, Tittle Luther Loving Architects, to add H (Historic Overlay) zoning to underlying OB (Central Business) zoning, located at 352 Cypress. The Planning and Zoning Commission, as well as staff, recommend approval.

Mayor Fogle opened a public hearing in regard to 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-9986 as recommended by staff. The motion was seconded by Councilman Robinson and the motion carried.

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

NAYS: None.

The Ordinance is numbered 99-1986 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.

Rickey Childers, Assistant City Manager, briefed the Council on the Development Task Force Report. He recognized all the members of the task force. The City Council, in its 1985 Retreat, directed the staff to refine the development process in an effort to ensure better coordination between various City departments involved in the process. An internal committee was established and charged with preparing recommendations for improvement. The Task Force Report before the Council is the result of the committee's work.

Council commended staff for responding to Council's concerns and working together to improve the problem areas and suggesting recommended changes for improvement.

Councilwoman Ray moved to accept the Development Task Force report as presented, and direct the staff to implement the various changes. Councilman Nixon seconded the motion and the motion carried.

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

NAYS: None.

Richard Knopf, Fire Chief, briefed the Council on a proposed 9-1-1 Emergency Phone Service. Staff recommends Council authorize City Staff to make a presentation to the Taylor County Commissioners, toward the appointment of a 9-1-1 Board and the calling of a 9-1-1 election.

Councilman Nixon moved to authorize the staff to make a presentation to the Taylor County Commissioners toward the appointment of a 9-1-1 Board and the calling of a 9-1-1 election. Councilman McCaleb seconded the motion and the motion carried.

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


NAYS: None.

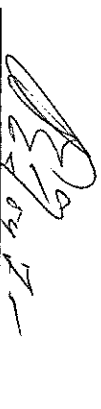
Mayor Fogle recessed the Council into executive session in accordance with State law, Sections 2e and 2g of the Open Meetings Act, to consider pending and contemplated litigation and the appointment and evaluation of public officials.

Diane Callander, Assistant City Attorney, gave a report to Council on the dismissal of a lawsuit that was filed toward the Chief of Police and two unnamed officers by Johnny Rodgers. In late October, 1986, the case was dismissed and the time for appeal has passed.

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

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


Patricia Hancock
City Secretary


A. E. Fogle
Mayor Pro Tempore