

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, October 31, 1991, at 8:30 a.m. to consider the following:

1. Discuss Lake Lot Leases.
2. 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, October 31, 1991, at 9:00 a.m.

**CITY COUNCIL:** Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jack Grable, Bill Terry, Jimmy McNeil and Liz Herrera.

1. Call to Order.
2. **INVOCATION:** Councilman Jack Grable.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held October 10, 1991.
4. **Awards**  
Employee of the Year
5. **Proclamations**

#### CONSENT AGENDA

All items listed below are considered routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Councilmember or citizen requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

6. **Ordinances & Resolutions:**
  - a. Resolution reappointing assistant Municipal Court Judges Mary Glover and Ken Leggett.
  - b. Resolution appointing Affordable Housing Task Force, defining scope of work and identifying targeted goals.
  - c. Consider on first reading - An Ordinance approving Southwestern Bell Franchise agreement, and set a public hearing for 9:00 a.m. November 7, 1991.
  - d. Oral Resolution authorizing payment for emergency repairs to Ft. Phantom Pump Station.
  - e. Oral Resolution approving Street Use License request from Abilene Tent & Awning, located in the 1200 block of Walnut for installation of a fence.
  - f. Oral Resolution approving funding for YMCA Juvenile Justice Program.
  - g. Resolution approving DWI Selective Enforcement Program.
  - h. Oral Resolution offering renewal of fire services contract with Pride Refining.
7. **Award of Bid:**
  - a. Chiller for Civic Center, Bid #CB2001.

REGULAR AGENDA

8. Ordinances & Resolutions:
- a. **Appealed Items:**  
**PUBLIC HEARING:** Consider on second and final reading - An Ordinance for street name change - SNC-01391 - Request from Gary Vest for a street name change from Derrick Drive to Microtex Drive.
  - b. **Appealed Item:**  
**PUBLIC HEARING:** Consider on second and final reading - An Ordinance changing zoning district boundaries - Z-01791 - Request from Marvin Norwood to rezone from SC (Shopping Center) to GC (General Commercial) district, located at 3426 Ambler.
  - c. **Appealed Item:**  
**PUBLIC HEARING:** Consider on second and final reading - An Ordinance changing zoning district boundaries - Z-01891 - Request from Fairway Oaks Plaza, Inc.; agent, Robert R. Benham, to amend PDD #4 (Planned Development District) ordinance to allow computer assembly, located at Antilley Road & Glen Abbey.
  - d. **PUBLIC HEARING:** Consider on second and final reading - An Ordinance for thoroughfare abandonment - TC-1991 - Request from Sharon Allen, located between South 11th & 12th and China & Rose Streets.
  - e. **PUBLIC HEARING:** Consider on second and final reading - An Ordinance changing zoning district boundaries - Z-2091 - Request from Central Baptist Church; agent, Eddie Chase, to rezone from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 3300-3400 block of Buffalo Gap Road.
  - f. **PUBLIC HEARING:** Consider on second and final reading - An Ordinance changing zoning district boundaries - Z-2191 - Request from Bailey Choate; agent, Doug Woodson, to rezone from RM-2 (Residential Multi-Family) to SC (Shopping Center) district, located at N. Willis & State Streets.
  - g. **PUBLIC HEARING:** Consider on second and final reading - An Ordinance for thoroughfare abandonment - TC-2291 - Request from Bailey Choate; agent, Doug Woodson, located on Glenhaven Drive from State Street to N. 10th Street.
  - h. Oral Resolution approving amendment to contract between Development Corporation of Abilene, Inc. and Abilene Industrial Foundation, Inc. (AIF) in the amount of \$150,000.00 for AIF's marketing budget.
9. **Other Business:**
- a. Receive report on Martin Luther King celebration and awards program; consider approval.
  - b. Discussion of BFI Regional landfill rate increase for general and commercial disposal of solid waste.
  - c. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
  - d. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.

ADJOURN

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(Personnel)

The City Council may consider the appointment, employment, reassignment, duties, discipline, or dismissal of public officer or employee, the City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. A complete list of the City Boards and Commissions are on file in the City Secretary's Office.

After discussion of the appointment and evaluation of the Council Appointees and the Board and Commission members in executive session, any final action or vote taken will be in public.

(Litigation)

The City Council may consider pending and contemplated litigation subjects. The following subjects may be discussed:

1. Bechtel, et al v. City
2. City v. Leo & Shirley Riley
3. Burns v. City
4. James Richardson v City
5. Michael Morris & Rawleigh Webster v. City
6. Pam Martin et al v. City and General Beverage
7. Brenda Parker v. City
8. Thines v. City
9. Dehoyos v. City
10. Lois Woods v. City & Charles Wayne Parker
11. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
12. Kenneth Brown v. City
13. Pamela Susan Combs v. Dillard's & Mall of Abilene & City
14. Kim Maynard v. City & Charles Kimbel Vickers
15. Leroy Hammond v. City
16. Ybarra v. City & Midnight Rodeo & Gannaway
17. Creel v. City
18. City Water Permit Applications
19. Lone Star Gas Gate Rate
20. Southwestern Bell Rate Case
21. West Texas Utilities Rate Case

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects set out above. After discussion of the pending and contemplated litigation subjects, in executive session, any final action, or vote taken, will be in public.

If personnel issues or litigation issues arise as to the posted subject matter of this City Council Meeting, an executive session will be held.

HC 10/15/91

PRE-COUNCIL WORK SESSION, THURSDAY  
October 31, 1991, 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 October 31, 1991, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jack Grable, Bill Terry, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

The Council briefly discussed various consent and regular agenda items. Roy McDaniel, Assistant City Manager, briefed the Council on the Fort Phantom Lake Lot Leases. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING  
October 31, 1991, 9:00 A.M.

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

Mayor McCaleb reconvened the City Council of the City of Abilene, Texas, into Regular Session October 31, 1991, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Jack Grable.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held October 10, 1991, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
NAVS: None.

Debra Guerra, Assistant to the City Manager, along with Director of Community Services Mike Hall and Civic Center Superintendent Tim Stephens, assisted Mayor McCaleb in presenting the Employee of the Year Award to Audrey Perry, Office Manager for the Civic Center.

Councilwoman Ray moved to approve consent agenda items 6a and 6b, 6d through 6h and 7a, as recommended by the staff; and approval of first reading of consent agenda item 6c. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
NAVS: None.

6. **Ordinances and Resolutions:**

- a. Resolution reappointing assistant Municipal Court Judges Mary Glover and Ken Leggett.

The Resolution is numbered 42-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING ASSISTANT MUNICIPAL COURT JUDGES TO ACT IN THE ABSENCE OR UNAVAILABILITY OF THE JUDGE OF THE MUNICIPAL COURT.

- b. Resolution appointing Affordable Housing Task Force, defining scope of work and identifying targeted goals.

The Resolution is numbered 43-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING AN AFFORDABLE HOUSING TASK FORCE, DEFINING THE SCOPE OF WORK AND IDENTIFYING TARGETED GOALS.

- c. Approval of first reading - An Ordinance approving Southwestern Bell Franchise agreement, and set a public hearing for 9:00 a.m. November 7, 1991.

AN ORDINANCE WHEREBY THE CITY OF ABILENE, TEXAS, AND SOUTHWESTERN BELL TELEPHONE COMPANY AGREE THAT, FOR THE PURPOSE OF OPERATING ITS TELECOMMUNICATIONS BUSINESS, THE TELEPHONE COMPANY SHALL MAINTAIN AND CONSTRUCT ITS POLES, WIRES, ANCHORS, FIBER, CABLES, MANHOLES, CONDUITS AND OTHER PHYSICAL PLANT AND APPURTENANCES IN, ALONG, ACROSS, ON, OVER, THROUGH, ABOVE AND UNDER ALL PUBLIC STREETS, AVENUES, HIGHWAYS, ALLEYS, SIDEWALKS, BRIDGES OR PUBLIC WAYS IN SAID CITY; PRESCRIBING THE ANNUAL COMPENSATION DUE THE CITY UNDER THIS ORDINANCE; PRESCRIBING THE CONDITIONS GOVERNING THE USE OF PUBLIC RIGHTS-OF-WAY AND THE PERFORMANCE OF CERTAIN CONSTRUCTION WORK ON PUBLIC RIGHTS-OF-WAY FOR THE TELEPHONE COMPANY'S TELECOMMUNICATIONS BUSINESS; PROVIDING AN INDEMNITY CLAUSE; SPECIFYING GOVERNING LAWS; PROVIDING FOR A RELEASE OF ALL CLAIMS UNDER PRIOR ORDINANCES; PROVIDING FOR FURTHER CONTINGENCIES; PROVIDING FOR WRITTEN ACCEPTANCE OF THIS ORDINANCE BY THE TELEPHONE COMPANY; AND PROVIDING FOR A TERM AND AN EFFECTIVE DATE.

- d. Oral Resolution authorizing payment of \$61,791.99 to Royal Electric Company of Abilene for emergency repairs to Ft. Phantom Pump Station.

- e. Oral Resolution approving Street Use License request from Abilene Tent & Awning, located in the 1200 block of Walnut for installation of a fence.

- f. Oral Resolution approving funding for YMCA Juvenile Justice Program.

- g. Resolution approving DWI Selective Enforcement Program.

The Resolution is numbered 44-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF ABILENE, TEXAS, TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION, FOR A DWI SELECTIVE ENFORCEMENT PROGRAM.

- h. Oral Resolution approving renewal of fire services contract with Pride Refining for a term of three (3) years beginning October 1, 1991 and ending September 30, 1994.

7. **Award of Bid:**

- a. Chiller for Civic Center, Bid #CB2001. The low bid was awarded to Abilene Sheet Metal in the amount of \$212,162.00 as recommended by staff.

8. **Ordinances and Resolutions:**

- a. Mindy Manson, Senior Planner, briefed the Council on an appealed Ordinance considered on second and final reading SNG-01391 - Request from Gary Vest for a street name change from Derrick Drive to Microtex Drive. Staff recommends approval; Planning and Zoning Commission recommend disapproval.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke in regard to the request:

IN FAVOR:

- . Gary Vest, proponent.

IN OPPOSITION:

- . Paul Farr, business owner in the area, is concerned about setting a precedent.
- . Powell Berry, 4810 Derrick Dr., stated the Chamber of Commerce and Abilene Industrial Foundation should help current small businesses as well as bring in new businesses.
- . Sally Robinson, 1749 Hillview, Planning and Zoning Commission member, stated she resents being told half-truths by Abilene Industrial Foundation, and supports existing businesses.
- . Miles Moore, 4802 Derrick Drive.
- . Larry Garner, oil-related business owner, has property leased on Derrick Drive; name change will serve only one person, feels we need to protect the people already there.

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

Councilman Terry moved to deny the ordinance request for a street name change from Derrick Drive to Microtex Drive. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

The request was DENIED

b. Mindy Manson, Senior Planner, briefed the Council on an Appealed Item considered on second and final reading - An Ordinance changing zoning district boundaries - Z-01791 - Request from Marvin Norwood to rezone from SC (Shopping Center) to GC (General Commercial) district, located at 3426 Ambler.

Mayor McCaleb opened a public hearing on the item, and the following individuals spoke in favor of the request:

- . Marvin Norwood, proponent, 2326 Yorktown.
- . Fred Lee Hughes, 1462 Woodland Trail.
- . Jerry Harris, 2201 Minter Lane, property owner.
- . Scott Senter, Senter Realtors, property owner.
- . David Dodson Sr., 2139 Mimosa, partner.
- . Frances Hodge, 2157 Mimosa.
- . Claude Hicks, Hendrick Home for Children.
- . Victor Flores, 1766 Sandefer.
- . James Teal, HSU employee.
- . Charles Watson, 1201 Minter Lane.
- . Curtis Cleveland, Yorktown Dr.
- . Jesse Gonzales, 2426 Swenson.
- . Rev. David Garza, 2139 Mimosa.

OPPOSED:

- . Paul Ruiz, 2234 Minter Lane, believes it would depreciate property, create a traffic problem, and create an eyesore.
- . Norman Clements, rules of spot changes should be adhered to.
- . Sally Robinson, 1749 Hillview, Planning and Zoning Commission was told if they vote for this they would be breaking the Law; spot zoning is against the law.

Chad Henderson, 4001 Concord, questioned whether or not the service station across the corner conformed to the zoning requirements, and was informed by staff that it does.

Bethel Harlow, 1955 Beechwood, commented on negative impact.

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

Councilwoman Herrera asked for guidance from the City Attorney; and he indicated it is the City Council's responsibility to determine if there have been changed conditions is it in the public's health and welfare to change it or not and make their decision based on that criteria and evaluation standards and apply that to what the City Council knows and has heard. Councilwoman Herrera then moved to approve the request to rezone from Shopping Center to General Commercial district located at 3426 Ambler, with the stipulation that a 7' solid fence or wall be built along the north and west property lines in order to screen the car repair business and associated activities and that this requirement be part of the Ordinance. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, McNeil, Councilwoman Herrera, and Mayor McCaleb.

Nays: Councilman Terry.

The Ordinance is numbered 29-1990 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.

c. Mindy Manson, Senior Planner, briefed the Council concerning an Appealed Item considered on second and final reading - An Ordinance changing zoning district boundaries - Z-01891 - Request from Fairway Oaks Plaza, Inc.; agent, Robert R. Benham, to amend PDD #4 (Planned Development District) ordinance to allow computer assembly, located at Antilley Road & Glen Abbey.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke in regard to the request:

IN FAVOR:

C. G. Witten, representing the proponents.

Randy Nicholson, described the company.

Alden Cathey, 73 Tamarisk Circle, builder; zone request does not constitute a factory, one zone change does not mean it will always be so; he is for progress.

Robert Denham, proponent, 18 Augusta, asked the City Council to concentrate on facts.

Tommy Morris, 26 Muirfield, homeowner and stockholder of Autogas.



- Jeff Ott, Inverrary Street, expressed the intentions of Autogas.
- Dave Wyse.
- Jeff Gilbert, 2949 Oakridge Court.
- Candy Gilbert, 2949 Oakridge Court.

OPPOSED:

- Mike McLain, 104 Glen Abbey.
- Mrs. Clyde Grant, 1 Glen Abbey.
- Betty Bacon, 95 Glen Abbey, defended the Planning and Zoning Commission; they have denied the request twice.
- Clyde Grant, 1 Glen Abbey, objects to the principle of changing zoning.
- Eddy Moore, 99 Glen Abbey, would have thought twice about buying in the area if he had known.
- Joe Rasco, 1 Fairway Oaks Blvd., wants no hazardous chemicals.
- Greg Lavon, #40 Leo Court, concerned with hazardous substances.
- Dr. Zane Travis, 89 Glen Abbey, suggested company build in manufacturing zone.
- Lori Wittiamson, 35 Glen Abbey, questioned if this is a spot zone change.
- Jim Binnington, 51 Glen Abbey.
- Marcella Greenhouse, #5 Glen Abbey, added traffic concerns.
- Richard Bacon, 95 Glen Abbey.
- Beverly Walker, 24 Pebble Beach, stated this is a residential area, not commercial.
- Cecil Fain, 94 Glen Abbey, City Council should uphold Planning and Zoning's recommendation.
- Dennis Gloyd, 17 Cherry Hill.
- Sandy Kiser, President of Fairway Oaks Homeowner's Association.
- Randy Wilkerson, 91 Glen Abbey, sets precedent for spot zoning.
- Terra Beall, 18 Augusta, traffic concerns.
- Larry Snodgrass, 66 Glen Abbey.

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

Councilman Vasquez moved to deny the request changing zoning district boundaries to allow computer assembly, located at Antilley Road & Glen Abbey. The motion died for lack of a second.

Councilwoman Herrera moved to approve the request changing zoning district boundaries to allow computer assembly located at Antilley Road & Glen Abbey with certain location, usage limitation and exterior modification restrictions. The motion was seconded by Councilwoman Ray.

AYES: Councilwoman Ray, Councilmen Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: Councilmen Vasquez and Grable.

The motion failed due to the lack of 6 votes in favor of the request required in a situation where the owners of 20% of the land area that is within 200 feet of the office building have registered opposition to the request.

The request was DENIED

d. Mindy Manson, Senior Planner, briefed the Council concerning an Ordinance considered on second and final reading for thoroughfare abandonment - TC-1991 - Request from Sharon Allen, located between South 11th & 12th and China & Rose Streets. The Planning and Zoning Commission and staff recommend approval with the following conditions: 1) that utility and drainage easements be maintained for the entire length and width of the alley; 2) that the proponent secure a release from the railroad for the existing spur line; and 3) that the proponent be responsible for relocation of any WJU street lights if movement is necessary.

Mayor McCaleb opened a public hearing on the item, and there being no one present and desiring to be heard, the public hearing was closed.

Councilwoman Ray moved to approve the Ordinance for thoroughfare abandonment located between South 11th & 12th and China & Rose Streets with certain conditions as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

The Ordinance is numbered 30-1990 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.

e. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - Z-2091 - Request from Central Baptist Church; agent, Eddie Chase, to rezone

from A0 (Agricultural Open Space) to RS-6 (Residential Single Family) district, located in the 3300-3400 block of Buffalo Gap Road. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing on the item, and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Vasquez moved to approve the Ordinance to rezone from Agricultural Open Space to Residential Single Family district, located in the 3300-3400 block of Buffalo Gap Road as recommended by staff. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

The Ordinance is numbered 31-1990 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.

f. Mindy Manson, Senior Planner, briefed the Council on an Ordinance on second and final reading changing zoning district boundaries - Z-2191 - Request from Bailey Choate; agent, Doug Woodson, to rezone from RM-2 (Residential Multi-Family) to SC (Shopping Center) district, located at N. Willis & State Streets. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke in favor of the request:

- . Bailey Choate, 22 Hoylake, proponent.
- . Scott McCrary, representing J & M Developers d/b/a Foodliner.
- . Ken Leggett #7 Zachry Cove, Trinity Church of the Nazarene, stated no opposition as long as a solid wall would be built and landscaping done.

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

Councilman Vasquez moved to approve the Ordinance to rezone from Residential Multi-Family to Shopping Center district, located at N. Willis & State Streets as recommended by staff, with the stipulation that a wall would be constructed and landscaping done. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

The Ordinance is numbered 32-1991 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.

g. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment - TC-2291 - Request from Bailey Choate; agent, Doug Woodson, located on Glenhaven Drive from State Street to N. 10th. The Planning and Zoning Commission and staff recommend approval with the following conditions: 1) that the east 30' of right-of-way be retained to connect N. 10th to the existing east-west alley running between Glenhaven and Westview in order to avoid a deadend alley; 2) retain the north 10' of Glenhaven as additional right-of-way for future expansion of N. 10th Street; and 3) any cost of relocating street lights belonging to West Texas Utilities be borne by the property owner.

Mayor McCaleb opened a public hearing on the item, and the following individuals spoke in favor of the request:

- . Bailey Choate, 22 Hoylake, proponent.
- . Scott McCrary, representing J & M Developers d/b/a Foodliner.
- . Ken Leggett #7 Zachry Cove, Trinity Church of the Nazarene.

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

Councilman Vasquez moved to approve the Ordinance for thoroughfare abandonment located on Glenhaven Drive from State Street to N. 10th with conditions as stated above. The motion was seconded by Councilman Terry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

The Ordinance is numbered 33-1991 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.

h. Mike Morrison, Director of Community and Economic Development, briefed the Council concerning an Oral Resolution approving amendment to contract between Development Corporation of Abilene, Inc. and Abilene Industrial Foundation, Inc. (AIF) in the amount of \$150,000.00 for AIF's marketing budget. Mr. Morrison introduced Gary Vest of the Abilene Industrial Foundation, who was prepared to answer any questions the Council might have.



Councilman Grable moved to approve by Oral Resolution the amendment to the contract between the Development Corporation of Abilene, Inc. and Abilene Industrial Foundation, Inc. (AIF) in the amount of \$150,000.00 for AIF's marketing budget, as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

**9. Other Business:**


a. Debra Guerra, Assistant to the City Manager, gave a report on the proposed Martin Luther King celebration and awards program; asking the Council to consider approval of the report.

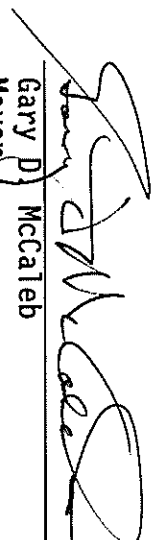
Councilman Terry moved to approve report on the proposed Martin Luther King celebration and awards program as presented. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.  
Nays: None.

b. Marva Pritchett, Director of Planning and Development Services, briefed the Council on a proposed BFI Regional Landfill rate increase for general and commercial disposal of solid waste, and introduced Richard Jackson from the BFI local office. Mr. Jackson informed the Council of the reason for the rate changes and the effect on his company. No action was necessary.

There being no further business, the meeting was adjourned at 3:10 p.m.

  
Jo Modre  
City Secretary

  
Gary D. McCaleb  
Mayor

