

**PRE-COUNCIL WORK SESSION, THURSDAY  
May 25, 1995, 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 May 25, 1995, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilmen Paul R. Vasquez, A. Don Drennan, Jimmy McNeil, Ray Ferguson, Russell Berry, and Councilwoman Kay Alexander. Also present were City Manager Lanny Lambert, 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.

Gary Pulliam of the Zoological Society, briefed the Council on the Zoological Society's proposed plans for new jaguar and ocelot exhibits. He stated that Zoo Day this year will be June 10. Roberta Thompson, Housing Administrator, briefed the Council on Item 3.1, Loan request for Parkridge Place Apartments. Council then briefly discussed various consent and regular agenda items, and there being no further discussion, the meeting was recessed to the City Council Chambers until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING  
May 25, 1995, 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 May 25, 1995, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Ray Ferguson.

Pledge of Allegiance was led by Luke Beard, 5th grader at Jim Ned, and son of Kelly Beard, Executive Secretary for Public Works.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held May 11, 1995, Councilman McNeil moved to approve the minutes as printed. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Ferguson, Berry, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

Mayor McCaleb, assisted by Debra Guerra, Assistant to the City Manager, presented the April Employee of the Month Award to Buddy Wise, Construction Inspector in the Engineering Division.

Mayor McCaleb presented the following proclamations

May 31 as No Tobacco Day; and

May 28 through 6/3 as Say So Week.

Amber Cree, Parks Board Member, presented the Mayor, Council and Chamber of Commerce an

award from the Texas Parks & Recreation Society for the Outdoor Art Exhibits.

Councilman Berry moved to approve consent agenda items 3.2 through 3.5, and approval of first reading for item 3.6, as recommended by the staff. Item 3.1, Resolution approving loan from General fund on behalf of Abilene Housing Authority for use as down payment on acquisition of Resolution Trust Corporation (RTC) property, ParkRidge Place Apartments, was pulled from the Consent Agenda to be considered separately at the request of a citizen and Councilman Vasquez. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Ferguson, Berry, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

### **Resolutions:**

3.1Removed from the Consent Agenda to be considered separately.

3.2Oral Resolution approving interlocal agreement between City and County of Taylor for development and construction of Child Advocacy Center.

Councilman Drennan and Mayor McCaleb stated their appreciation on the joint efforts of Taylor County and City staff, as well as the support provided by the Junior League. Mayor McCaleb stated this is a good example of how things get done through cooperative efforts.

### **Bid Awards:**

3.3Water treatment chemicals for Water Utilities Department, **Bid #CB-5044**. The bid was awarded as follows: Liquid Cationic Polymer to Maintenance Engineering at \$680.00/ton; Anhydrous Ammonia at \$600.00/ton, Liquid Caustic Soda at \$363.28/ton, and Liquid Chlorine at \$319.80/ton to D. P. C. Industries; Pebble Quicklime to Texas Lime Co. at \$66.15/ton; Liquid Aluminum Sulfate to Coastal Products at \$129.87/ton; and Sodium Hexametaphosphate to Delta Solvent at \$.62/lb; all as recommended by staff.

3.4Miscellaneous sidewalks, Phase V, **Bid #CB-5046**. The bid was awarded to Harris Acoustics, Inc. for the unit price bid with an estimated project amount of \$79,581.00, as recommended by staff.

### **Ordinances**

3.5Approval of second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic" of the Abilene Municipal Code, Section 18-302.

The Ordinance is numbered **23-1995** 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.

Section 18-302 Signalized Intersection; ADD: Buffalo Gap Road and Chimney Rock Road, Rebecca Lane and Ridgemont Drive.

3.6Approval of first reading - Ordinance amending Chapter 8, "Construction Regulations", of the Abilene

Municipal Code, Article VI, Division 3, "Electrical Code", regarding license requirements.

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS", DIVISION 3, "ELECTRICAL CODE", OF THE ABILENE MUNICIPAL CODE BY AMENDING AN ADDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

## **REGULAR AGENDA**

### **Resolutions**

3.1 Roberta Thompson, Housing Administrator, briefed the Council on a Resolution approving loan from General fund on behalf of Abilene Housing Authority for use as down payment on acquisition of Resolution Trust Corporation (RTC) property, ParkRidge Place Apartments.

Kent Watson, local businessman, had several questions, which were answered by Marva Pritchett, Director of Development Services and Mrs. Thompson.

Following a discussion among staff and Councilmembers, Councilman Ferguson moved to approve the loan request as recommended by the Housing Authority. The motion was seconded by Councilman McNeil. Councilman Vasquez moved to amend the motion to approve the Resolution with an amended loan interest rate from 8.5% to 7.5%. The motion was seconded by Councilman Berry.

AYES: Councilmen Vasquez and Berry.

NAYS: Councilmen Drennan, McNeil, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

The motion failed.

Councilman Ferguson moved to approve the Resolution as recommended by staff authorizing a loan to the Housing Authority of the City of Abilene for use as a down payment and closing costs associated with the acquisition of the Parkridge Place Apartments. The motion was seconded by Councilman McNeil, and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Ferguson, Berry, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

The Resolution is numbered **23-1995** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING A LOAN TO THE HOUSING AUTHORITY OF THE CITY OF ABILENE FOR USE AS DOWN PAYMENT AND CLOSING COSTS ASSOCIATED WITH ACQUISITION OF THE PARKRIDGE PLACE APARTMENTS.

4.1 Fal Falcioni, Airport Manager, introduced Paul Lenker of Abilene Motor Sports, Inc., who briefed the Council regarding a request for Council to approve by Oral Resolution an agreement with Abilene Motor Sports Inc. and Sports Car Club of America to conduct auto races and spectator event in conjunction with the races on June 16, 17 & 18, 1995 at the Abilene Regional Airport.

Councilman Berry moved to approve by Oral Resolution the agreement with Abilene Motor Sports

Inc. and Sports Car Club of America, as recommended by staff. The motion was seconded by Councilman Drennan and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

### **Ordinances**

4.2 Ron Quarles, Acting Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on final reading amending Chapter 23, Subpart E, "Zoning", of the Abilene Municipal Code and Ordinance #1045 concerning The Fairways PDD, and approving a Development Plan. Staff recommends approval.

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

.Bob Deegan, 1509 Sylvan Dr., owns a bungalow in Harbour Town; and indicated that the property is higher in elevation than the homes, has drainage concerns.

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

It was the consensus of the Council that for the record, citizens in Harbour Town can be assured that the drainage problem will be dealt with and resolved. Councilman Drennan moved to approve the Ordinance concerning The Fairways Planned Development District and a Development Plan, as recommended by staff. The motion was seconded by Councilman Vasquez, and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered **24-1995** 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. 1045 CONCERNING THE FAIRWAYS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.3 Ron Quarles, Acting Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-01695** - Rezone from AO, IL & GC to PDD district at Maple St. & Berry Ln. The Planning and Zoning Commission and staff recommend approval.

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

.Billie Sheik, 1501 Lakeside Drive, opposed the possibility of increased noise, traffic, trash, and opportunity for crime.

.Rev. Joel Lee Stafford, Jr., pastor for Berry Lane Baptist Church, spoke on behalf of his congregation in opposition to trash, noise, etc.

- .Silas Sheik, 1501 Lakeside Drive, also opposed to noise, traffic, crime; requests Council deny the request.
- .James Pierce, 1672 Bent Tree, stated the development may possibly prevent future residential development due to traffic concerns. He asked if existing roads would have to be widened, and if so, who would pay for it? He asked the Council to table the request or deny it.
- .Tina Rogers, proponent, Shoreline Drive, distributed pictures and gave an overview of her plans, and addressed the above-mentioned concerns. She noted that a chain link fence would be built around the perimeter of the property; and projections indicate approximately 61,000 people would possibly attend in a year's time.
- .Lonnie Edwards, 1518 Oldham Lane, stated he felt another location would be better.
- .Keith Johnson, stated he is purchasing a home in Lytle Shores, and stated he was pensively in favor, he felt it would be good for young people.
- .Joy Ellinger, 2425 Buttonwillow, representing Abilene State School, has a neutral position, but did want the Council to know that 660 people with disabilities will be next to the park.
- .Dr. Torres, stated he is against the proposal, and stated the need for a 4-lane road to accommodate traffic; and questioned who will pay for the additional costs (extra police, etc.)?
- .Anthony McCollum, property owner and builder, questioned what it would do to property values, and whether or not this is the proper area.
- .Gordon Dowell, 791 Lytle Shores, stated he chose to retire in Abilene just recently; cited reasons mentioned previously as to why he is against it.

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

Following a discussion among Council and staff, Councilman Drennan moved to approve the Ordinance changing zoning district boundaries from AO, LI & GC to PDD district at Maple St. & Berry Ln., as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

During the vote, Council comments noted were: concerns due to a large opposition, faith in the decision to meet the needs of the overall community, and direction to staff to keep in mind the concern expressed and to work out the details to address these concerns at the time of project development.

The Ordinance is numbered **25-1995** and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #58 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.4 Ron Quarles, Acting Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-01895** - Add H to underlying CB district at 1174 N. 1st St. The Planning and Zoning Commission and staff recommend approval.

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

.Ruby Perez, Abilene Preservation League, updated the Council on the project.

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

Councilman Berry moved to approve the Ordinance to add H to underlying CB district at 1174 N. 1st St., as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered **26-1995** 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.

4.5 Ron Quarles, Acting Assistant Director of Planning & Development Services for Planning, briefed the Council on the Ordinance considered on second and final reading changing zoning district boundaries - **Z-01795** - Rezone from RM-3 to O district in the 100-200 block of Sayles Blvd. 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 McNeil moved to approve the Ordinance changing zoning district boundaries from RM-3 to O district in the 100-200 block of Sayles Blvd., as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

Councilman Ferguson was absent during this vote.

The Ordinance is numbered **27-1995** 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.

4.6 Ron Quarles, Acting Assistant Director of Planning & Development Services for Planning, briefed the Council on the Ordinance considered on second and final reading changing zoning district boundaries - **Z-01995** - Rezone from O & RM-2 to SC district on N. Judge Ely Blvd. between E. N. 12th & E. N. 16th 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:

David Todd, representing ACU.

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

Councilman Vasquez moved to approve the Ordinance changing zoning district boundaries from O & RM-2 to SC district on N. Judge Ely Blvd. between E. N. 12th & E. N. 16th Streets, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilmen Vasquez, Drennan, McNeil, Berry, Ferguson, and Councilwoman Alexander.

Nays: None.

Abstain: Mayor McCaleb.

The Ordinance is numbered **28-1995** 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.

Councilman McNeil left the meeting.

4.7 Ron Quarles, Acting Assistant Director of Planning & Development Services for Planning, briefed the Council on the Ordinance considered on second and final reading changing zoning district boundaries - **Z-02395** - Rezone from LI to HC district located in the 3000 block of FM 600. 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 Berry moved to approve the Ordinance changing zoning district boundaries from LI to HC district located in the 3000 block of FM 600, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilmen Vasquez, Drennan, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered **29-1995** 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.

4.8 Wanda Merritt, Economic Development, stated agency representatives are present to brief the Council on the FY95/96 Community Development funding requests. These requests are for Council information only. No funding decision will be made by the Council today. Mrs. Merritt then briefed the Council on the 1995-2000 Goals, Objectives and Strategies for Consolidated Plan for Housing & Community Development.

Councilman Vasquez moved to approve the 1995-2000 Goals, Objectives and Strategies for Consolidated Plan for Housing & Community Development, as recommended by staff. The motion was seconded by Councilman Berry. Input from the agencies was heard after the motion and second, but before the vote was called for.

The following agencies requesting funding were given the opportunity to speak.

Pat Frosch, Executive Director of Mend-A-Child, requested \$35,000

Gail Kiser, Coordinator for Center for Non-Profit Management, requested \$12,000

Peg Cooke, Hope Haven, requested \$75,000

Melinda Cunningham, Boys & Girls Club, requested \$6,000

Vivian Bamburg, Day Nursery of Abilene, requesting \$169,280

Cindy Darby, Family Outreach, requesting \$7,500

Doug Eichorst, Food Bank of Abilene, requesting \$10,000

Mayor McCaleb then called for a vote, and the motion carried.

AYES: Councilmen Vasquez, Drennan, Berry, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

### **Other Business:**

Mayor McCaleb recessed the Council into executive session pursuant to Sections 551.071 and 551.074 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, and to consider the appointment and evaluation of public officers.

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

Mayor McCaleb recommended board appointments and reappointments as follows:



**ABILENE COMMUNITY DEVELOPMENT COMPANY, INC. - 1 year term**

Reappoint:

Michelle Bailey, alternate

Sue Ball, alternate

Cindy Bruce, alternate

John Dugan

David Green

Kirby Leeson

Shane Lewis, Alternate

Jim Richmond, alternate

Janet Samford

Guinn Smith

Betty Sneed

Brenda Wileman, Alternate

Gary Yungblut

Appoint:

Harold Andrews, Alternate

**ABILENE HIGHER EDUCATION AUTHORITY, INC. - 2 year term**

Reappoint:

John Combs

Scott Dueser

Lanny Hall

Robert Shimp

**ABILENE HIGHER EDUCATION FACILITIES, INC. - 2 year term**

Reappoint:

John Combs

Scott Dueser

Lanny Hall

Robert Shimp

**ABILENE HOUSING FINANCE CORPORATION - 2 year term**

Reappoint:

Carole Parker

Faye Smith

**CITYLINK ADA ADVISORY BOARD - 3 year term**

Reappoint:

A. B. Hailey, Alternate

Appoint:

Julie Tudor

James Shepard, At-Large

**CIVIC ABILENE, INC. - 3 year term**

Reappoint:  
James Aneff  
Steven Leggett  
Laura Moore  
Mary Jo North  
Jerry Phillips

**HUMAN RELATIONS COMMITTEE - 3 year term**

Reappoint:  
Rufus Johnson  
Matthew Regala

Appoint:  
Karen Thomas

**MH/MR BOARD OF TRUSTEES - 2 Year term (9/95 - 8/97)**

Reappoint:

Joel Loya  
Robert Monk  
Walter Bryan  
David Scott

**MH/MR PUBLIC RESPONSIBILITY COMMITTEE - 2 Year term (9/95 - 8/97)**

Reappoint:

Rebecca Leonard

Appoint:

Sonya Quinn (5/95 - 8/97)  
Karen Lea Drake (5/95 - 8/96)

**MPE/SWIMMING POOL BOARD OF APPEALS - 2 year term**

Reappoint:

Gary Bunkley, Alternate  
Doyle Hufstедler, Electrical Subcommittee  
Danny Kirk, Alternate  
Earle McMillan  
Janie Propst, Alternate  
Richard Rogers  
Charlie Stearns  
Tom Willis

Appoint:

Robert Jones, Electrical Subcommittee

**PARKS & RECREATION - 3 year term**

Reappoint:

Syd Niblo  
Gail Russey

**SENIOR CITIZENS BOARD** - 2 year term

Reappoint:

Ernest Hermann

Paul Rehm

Charles White

Durward Young

Councilman Vasquez moved to approve the recommendations for board appointments and reappointments as listed above. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilmen Vasquez, Drennan, Berry, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

There being no further business, the meeting was adjourned at 1:32 p.m.

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Jo Moore  
City Secretary

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Gary D. McCaleb  
Mayor

