

**PRE-COUNCIL WORK SESSION, THURSDAY
May 23, 1996, 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 23, 1996, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilman A. Don Drennan, Councilwoman Carol Martinez, Councilmen Rob Beckham and Ray Ferguson, 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. Councilman Paul R. Vasquez was absent from Pre-Council session only.

Council 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 23, 1996, 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 23, 1996, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilwoman Carol Martinez.

Pledge of Allegiance was led by Courtney Hale, 5th grader at Valley View Elementary, accompanied by her principal, Mrs. White.

Mayor McCaleb presented the following proclamations
May 26 as Good Sam Clean-up Day; and
May 23-29 as Say So Week.

Martha Keil, Art Teacher at Cooper High School, assisted Mayor McCaleb in the presentation of Certificates of Appreciation to the following students for their artwork displayed at the Railroad Festival:
Matthew Schneider, Abilene High School; Travis Nichols, Cooper High School; Cliff Bruneau, Cooper High School; Coby Whitley, Jefferson Middle School; and Eddie Delacruz, Excel High School.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held May 9, 1996, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilwoman Martinez and the motion carried.

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

NAYS: None.

Councilman Vasquez moved to approve consent agenda items 3.1 through 3.3, as recommended by the

staff. Item 3.4 was removed from the Consent Agenda to be considered separately at the request of Councilman Drennan. The motion was seconded by Councilwoman Alexander and the motion carried.

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

NAYS: None.

Resolutions:

3.1 Oral Resolution approving a street use license request from Harris Acoustics, Inc./Woody Weir, property adjacent to Barrow Street.

3.2 Oral Resolution approving a street use license request from McMurry University, property adjacent to Vine Street.

3.3 Oral Resolution approving a contract amendment extending the agreement for disbursement of CDBG funds not to exceed \$14,790 for roof replacement of the Grover Nelson Clubhouse of the Boys & Girls Club of Abilene, Inc., located at 4610 N. 10th St.

3.4 Removed from Consent Agenda.

REGULAR AGENDA

Resolutions

3.4 Dwayne Hargesheimer, Director of Water Administration, briefed the Council on an Oral Resolution approving an engineering agreement with Jacob & Martin, Inc. for water distribution system improvements.

Following a discussion of the item with emphasis being placed on 1) the fact that we have plenty of adequate water and this item deals only with the distribution of water to the south part of town, and 2) even in times of adequate water, conserving is important and we must continue to create awareness and educate our citizens to methods of conserving; Councilman Ferguson moved to approve by Oral Resolution the engineering agreement with Jacob & Martin, Inc. for water distribution system improvements, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

4.1 James Condry, Assistant Director of Development Services for Public Works, and Paul Lenker of Abilene Motor Sports, Inc., 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 a spectator event in conjunction with the races on June 14, 15 & 16, 1996 at the Abilene Regional Airport.

Councilman Drennan 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 Ferguson and the motion carried.

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

Nays: None.

Ordinances

4.2 Carl Lockett, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on final reading - **Z-00496** - Rezone from AO and RS-6 to PDMX district at 274 E.S. 25th St. Staff recommends disapproval; the Planning & Zoning Commission 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 Drennan moved to approve the Ordinance to rezone from AO & RS-6 to PDMX district at 274 E.S. 25th St., as requested. The motion was seconded by Councilman Ferguson and the motion carried.

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

Nays: None.

The Ordinance is numbered **22-1996** 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 #61 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.3 Carl Lockett, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading - **TC-01696** - Thoroughfare Abandonment of Amarillo Street between S. 17th & S. 18th Streets. The Planning and Zoning Commission and staff recommend approval SUBJECT TO the following conditions: 1) a drainage and utility easement retained for the entire area of the street and adjacent areas containing utility lines unless and until utility lines and drainage facilities are relocated or an appropriate platted easement is dedicated; and 2) any resulting relocation of utility lines or drainage facilities shall be accomplished at the proponent's expense in a manner satisfactory to the City of Abilene or the affected utility provider.

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 for thoroughfare abandonment of Amarillo Street between S. 17th & S. 18th Streets, subject to the conditions as recommended by staff. The motion was seconded by Councilwoman Martinez and the motion carried.

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

Nays: None.

The Ordinance is numbered **23-1996** 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.

4.4 Carl Lockett, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading - **TC-01996** - Thoroughfare Abandonment of a 15' east-west alley between Sunset and Barrow Streets and between S. 11th & S. 12th Streets. Staff stated the alley connects with Kirby Street and provides an outlet from Kirby Street. Closure of the alley would cause Kirby to be a dead end street. Staff recommends disapproval; Planning & Zoning Commission recommends approval subject to retention of a drainage and utility easement the length and width of the alley.

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

.William Peacock, 1149 Sunset, proponent, is requesting closure of the alley to reduce traffic in the area.

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

Councilwoman Martinez moved to approve the Ordinance for thoroughfare abandonment of a 15' east-west alley between Sunset and Barrow Streets and between S. 11th & S. 12th Streets, subject to the easements retention as recommended by the Planning and Zoning Commission. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

The Ordinance is numbered **24-1996** 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.

Council requested staff do an analysis of Kirby Street to determine what improvements and/or maintenance is needed to bring the street up to standard.

4.5 Carl Lockett, Assistant Director of Planning & Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading - **Z-02096** - Rezone from RS-6 to MH district at 874 Midway. The Planning & 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 Beckham moved to approve the Ordinance to rezone from RS-6 to MH district at 874 Midway, as recommended by staff. The motion was seconded by Councilman Drennan and the motion carried.

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

Nays: None.

The Ordinance is numbered 25-1996 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 Carl Lockett, Assistant Director of Planning & Development Services for Planning, briefed the Council on Ordinance considered on second and final reading - **TC-02196** - Thoroughfare abandonment of a 15' east-west alley located between Hickory & Cedar Streets and between N. 8th & N. 10th Streets. 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 for thoroughfare abandonment of a 15' east-west alley located between Hickory & Cedar Streets and between N. 8th & N. 10th Streets, as recommended by staff. The motion was seconded by Councilwoman Alexander and the motion carried.

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

Nays: None.

The Ordinance is numbered 26-1996 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.

4.7 Carl Lockett, Assistant Director of Planning & Development Services for Planning, briefed the Council on an appealed Ordinance considered on second and final reading - **TC-02296** - Thoroughfare abandonment of a portion of a 30' north-south alley between N. 6th & Park Streets. The Planning and Zoning Commission recommends disapproval; staff recommends approval with the condition that a drainage and utility easement the length and width of the alley be retained.

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

FOR:

. Jesse Williams, agent for the proponent.

AGAINST:

. Buster Hash, 2018 Chestnut.

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 of a portion of a 30' north-south alley between N. 6th & Park Streets subject to the conditions as recommended by staff. The motion was seconded by Councilwoman Martinez and the motion carried.

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

Nays: None.

The Ordinance is numbered 27-1996 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.

Council requested staff do an analysis of Park Street to determine what improvements and/or maintenance is needed to bring the street up to standard.

4.8 Carl Lockett, Assistant Director of Planning & Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading -**Z-00296** - Zone deferment to allow for an Enterprise Property in City's Enterprise Zone program in the TIF area; 150 Locust. Mr. Lockett stated this is not a zoning case, and introduced Mike Morrison, Director of Economic Development, who briefed the Council on the Enterprise Zone program.

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

.Bill Scott, read a letter from Shane McClung, requesting approval of the item, and requesting that the off-street parking requirement be waived.

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

Councilman Drennan moved to approve the Ordinance for zone deferment to allow for an Enterprise Property in City's Enterprise Zone program in the TIF area located at 150 Locust, as recommended by staff. The motion was seconded by Councilwoman Alexander, and the motion carried.

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

Nays: None.

The Ordinance is numbered 28-1996 and is captioned as follows:

AN ORDINANCE DEFERRING CERTAIN DEVELOPMENT REQUIREMENTS OF "CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART 'E, ZONING," ON PROPERTY COMMONLY KNOWN AS 150 LOCUST STREET (A PROPERTY LOCATED WHOLLY WITHIN ABILENE REINVESTMENT ZONE NUMBER ONE) AS AUTHORIZED IN SECTION 2303.501 OF THE TEXAS ENTERPRISE ZONE ACT.

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. Councilmen Drennan and Ferguson left the meeting during executive session.

Mayor McCaleb recommended board appointments and reappointments as follows:

ABILENE ECONOMIC DEVELOPMENT COMPANY, INC. - 2 year term

Reappoint:

Joe Antilley

Carlos Rodriguez

Appoint:

Rhonda Bolt

ABILENE HIGHER EDUCATION AUTHORITY, INC. - 2 year term

Reappoint:

Royce Money

Gerald Schwalb

John Stevens

ABILENE HIGHER EDUCATION FACILITIES, INC. - 2 year term

Reappoint:

Royce Money

Gerald Schwalb

John Stevens

CITYLINK ADA ADVISORY BOARD - 3 year term

Reappoint:

David Barnhill

Bertha Azcarate

Appoint:

Brigitt Lett

CIVIC ABILENE, INC. - 3 year term

Reappoint:

Robert Pollan

Tom Boecking

Ted Starnes

Appoint:

Vicky Reynolds

Sharon Bell

HOUSING AUTHORITY OF THE CITY OF ABILENE - 2 year term

Appoint:

Faye Hedrick, term expiring 11/97

HUMAN RELATIONS COMMITTEE - 3 year term

Reappoint:

Theodis Talbert, Sr.

Jacqueline Moreno

Appoint:

David Scott, term expiring 5/98

Willie Andrews

Clem Mathis

JOINT ZONING BOARD

Appoint:

Dr. Neal Lowry

LIBRARY BOARD - 2 year term

Appoint:

Adelina Zamarippa, term expiring 11/97

MH/MR BOARD OF TRUSTEES - 2 year term (9/96 - 8/98)

Reappoint:

Tom Lovvorn

Betty Hardwick, Callahan Co.

J. M. McClarty

Mary Lou Gilreath, Jones Co.

Larry Hopkins

MPE/SWIMMING POOL BOARD OF APPEALS - 2 year term

Reappoint:

Grady Cozby, Alternate Architect
Charles Clark, Mechanical Engineer
Darrell Dorsett, Electrical Subcommittee
Dennis Watson, Alternate Pool Contractor
Lloyd Turner, Alternate Electrical Engineer
Mike Hudman, Master Plumber
Royce Glover, Alternate Master Plumber
Steve Letz, Electrical Subcommittee
Tom Hawkins, Mechanical Contractor

Appoint:

Jay Gibson, Electrical Subcommittee

PARKS & RECREATION - 3 year term

Reappoint:

Amber Cree
Randal Crosswhite

Appoint:

Dave Merrill

PLANNING AND ZONING COMMISSION - 3 year term

Appoint:

Neomia Banks, term expiring 11/96

SENIOR CITIZENS BOARD - 2 year term

Reappoint:

Harry Tredennick
Joseph Rios
Leslie Ellis
Lowell Queen
Harriet Connor

VISUAL ARTS JURY - 2 year term

Reappoint:

Marilyn Cluck
Susan Shelton
Rozlyn Love

Appoint:

Guinn Smith

WEST CENTRAL TEXAS MUNICIPAL WATER DISTRICT - 2 year term

Reappoint:
Fred Lee Hughes
Fred Sandlin
Tucker Bridwell

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

AYES: Councilman Vasquez, Councilwoman Martinez, Councilman Beckham, Councilwoman Alexander, and Mayor McCaleb.

Nays: None.

There being no further business, the meeting adjourned at 1:00 p.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor