

**PRE-COUNCIL WORK SESSION, THURSDAY
July 11, 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 July 11, 1996, 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, Rob Beckham, Ray Ferguson, and Councilwoman Kay Alexander. Also present were City Manager Lanny Lambert, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff. Councilwoman Carol Martinez was absent.

Sharon Hicks, Assistant City Attorney, explained a correction to the June 27 City Council minutes regarding item 4.2, Resolution authorizing initiation of eminent domain proceedings to acquire unencumbered fee simple interest in parcels 3, 4, 14 & 18 and a temporary construction easement on parcels 3-A & 4-A for Antilley Road widening project. James Condry, Assistant Director of Development Services for Public Works, introduced David Rogers, owner of Classic Cab Co., then briefed the Council on the history of the City's Taxicab Regulation Ordinance and the application of the Ordinance. Following discussion between staff, Council and Mr. Rogers, Mayor McCaleb asked staff to review the issues and requests, specifically the fares, since it had not been addressed in several years, and bring back recommendations for Council consideration. Mayor McCaleb also requested staff prepare written documentation in response to concerns noted addressing cab metering accuracy or reliability. The 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
July 11, 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 July 11, 1996, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Kay Alexander.

Pledge of Allegiance was led by Nathan Wright, 6th grader and Kelly Wright, 5th grader from the Jim Ned School district, and children of June Employee of the Month Rick Wright, Firefighter. Mrs. Rick (Donna) Wright was also in attendance.

Jo Moore, City Secretary, assisted Mayor McCaleb in the presentation of **Employee Service Awards** to the following individuals for their years of service:

25 Years	Woody Chick	Public Safety Officer Airport
25 Years	Becky Windham	City Accountant Finance Department
20 Years	Helen Clanahan	Senior Secretary Planning Division

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the June Employee of the Month award to Rick Wright, Firefighter.

Mayor McCaleb, assisted by Employee Committee chair Pat Harris, presented Employee Scholarship Awards, each in the amount of \$1,000, to the following individuals:

Lucretia Froh, daughter of Richard Froh
Elizabeth Smith, daughter of Ronald Smith, and
Casey Smith, son of Philip Smith.

Councilman Vasquez moved to approve the minutes of the Pre-Council Session and Regular City Council Meeting held June 27, 1996 with the following correction to item 4.2, "Resolution authorizing initiation of eminent domain proceedings to acquire unencumbered fee simple interest in parcels 3,4,14 & 18 and a temporary construction easement on parcels 3-A & 4-A for the Antilley Road widening project", correct the land description on the Casey property, Parcel 14, by changing the West (Deed Call) Number from 4114' to 3579' and correct the whole tract acreage from 13.8910 to 11.6226 and the remaining tract from 13.3972 to 11.1288. The motion was seconded by Councilman Drennan and the motion carried.

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

NAYS: None.

Councilman Ferguson moved to approve consent agenda items 3.1, 3.2, and 3.10 as recommended by staff; and approval of first reading of items 3.3, 3.4, 3.6 through 3.9. The motion was seconded by Councilman Drennan and the motion carried. Item 3.5 was removed from the Consent Agenda to be considered separately at the request of Bruce Crook.

AYES: Councilmen Vasquez (abstaining on items 3.6, 3.7, and 3.8 due to his employment with Hendrick Medical Center), Drennan, Beckham, Ferguson, Councilwoman Alexander, and Mayor McCaleb.

NAYS: None.

Resolutions

- 3.1 Oral Resolution authorizing Mayor to execute a Street Use License agreement with First United Methodist Church for head-in parking on the Poplar Street right-of-way.
- 3.2 Oral Resolution authorizing the City Manager or designee to enter into an agreement with Hibbs & Todd Engineering, Inc. for professional services for the study, plans & specifications for reconstruction of Hardwick Road from Antilley Road to FM 707 for a fee not to exceed \$66,000.

Ordinances

- 3.3 **Approval of first reading - Z-03696** - Rezone from RS-6 to GC located at 7749 Buffalo Gap Road, and set a public hearing for July 25, 1996 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.

3.4 Appealed Item:

- Approval of first reading - Z-03796** - Rezone from AO to MH located at 1601 Griffith Road, and set a public hearing for July 25, 1996 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.

- 3.5 Removed from consent agenda to be considered separately. **Approval of first reading -TC-03896** - Thoroughfare abandonment of a portion of Paint Brush Drive, and set a public hearing for July 25, 1996 at 9:00 a.m.

- 3.6 **Approval of first reading - Z-03996** - Rezone from RM-3 to MU located between Simmons & Hickory and N. 18th & N. 19th Streets, and set a public hearing for July 25, 1996 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.

3.7 Approval of first reading - TC-04096 - Thoroughfare abandonment of a portion of N. 19th Street, and set a public hearing for July 25, 1996 at 9:00 a.m.

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.

3.8 Approval of first reading - TC-04196 - Thoroughfare abandonment of (1) a portion of Orange Street and (2) alley between N. 18th & 19th and Orange and Hickory Streets, and set a public hearing for July 25, 1996 at 9:00 a.m.

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.

3.9 Appealed Item:

Approval of first reading - SNC-04296 - Honorary Street Name change of Regional Plaza (private street) to David M. Collins Drive, and set a public hearing for July 25, 1996 at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, FOR AN HONORARY STREET NAME CHANGE OF REGIONAL PLAZA (PRIVATE STREET) TO DAVID M. COLLINS DRIVE.

Bid Awards

3.10 Reconstruction of Judge Ely Blvd. Phase I, **Bid #CB-6037**. The bid was awarded to J. H. Strain & Sons, Inc. for the unit prices bid with an estimated construction cost of \$357,495.00, as recommended by staff.

REGULAR AGENDA

3.5 This item was removed from the consent agenda to be considered separately at the request of Mr. Bruce Crook. Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on first reading - **TC-03896** - Thoroughfare abandonment of a portion of Paint Brush Drive. Mayor McCaleb clarified for Mr. Crook the fact that this is the first reading of the Ordinance and is not a public hearing - the public hearing will take place on July 25th when the item is considered for second and final reading.

Mr. Crook indicated that only three notifications were sent to property owners in the area about the public meeting held June 26 at Allie Ward Elementary School. Mr. Crook stated his concerns about traffic. Mr. Lockett stated that there were only three property owners within the area required by law to be notified, and they were all notified.

Councilman Ferguson moved to approve first reading of an Ordinance - **TC-03896** - Thoroughfare abandonment of a portion of Paint Brush Drive, and set a public hearing for July 25, 1996 at 9:00 a.m. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

Resolutions

4.1 Mike Morrison, Director of Economic Development, introduced Wanda Merritt, who briefed the Council on the contract with the Kent Group to complete an "Analysis of Impediments to Fair Housing Choice" study in the amount of \$12,000. Mrs. Merritt stated that the Kent Group was recommended by a review team because of their successful completion of studies for other cities and their extensive experience with housing. The Kent Group have indicated they would like to use HSU for some involvement in the study.

Councilman Vasquez moved to approve by Oral Resolution a contract with the Kent Group to complete an "Analysis of Impediments to Fair Housing Choice" study in the amount of \$12,000, as recommended by the staff. The motion was seconded by Councilwoman Alexander and the motion carried.

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

NAYS: None.

4.2 James Condry, Assistant Director of Development Services for Public Works, briefed the Council on a Street Use License request for N. 14th & Walnut Streets from Ronnie Smith Automatic Transmission. Staff recommends approval to only allow use of the existing head-in parking on Walnut Street and space for two parking spaces in the N. 14th Street right-of-way with access from the alley.

Kenny Smith, agent for the proponent, stated this is a high crime area, and cars left in back of the shop is not a good idea. Cars are dropped off by owners and would be better left on the main street. It usually takes three days to repair vehicles, and he stated a larger shop is needed. By adding a building, cars can be left inside.

Following discussion among the Council, Councilman Vasquez moved to approve by Oral Resolution a Street Use License request for N. 14th & Walnut Streets from Ronnie Smith Automatic Transmission, as requested by the proponent. The motion was seconded by Councilman Beckham and the motion carried.

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

NAYS: None.

4.3 Carl Lockett, Assistant Director of Development Services for Planning, briefed the Council on a Resolution amending the Southwest Area Land Use Plan-1993 to allow high density residential land use for a 12.39 acre tract on the west side of Catclaw Drive, and low density commercial use for a 1.392 acre tract on the southeast corner of Catclaw Drive and Rolling Green Drive. 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:

FOR:

. O. B. Stephens, proponent, distributed a detailed drawing of the intersection to Council.

.Gaylon Hale, Design Perfect Homes.

AGAINST:

.Bruce Crook, 4541 Ridgmar, proposed a fence between Rolling Green Drive and Paint Brush Dr. to keep kids out of the alley. This was Mr. Crook's only concern with the request.

.David Haney, 4518 Pentacar Dr., had questions concerning the request and zoning issues.

.Jim Nicholas, 4016 Hummingbird Circle, does not want a precedent set and stated it is not the proper place for these things.

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

Councilman Drennan moved to approve the Resolution amending the Southwest Area Land Use Plan-1993, as recommended by the staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

The Resolution is numbered **23-1996** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AMENDING THE SOUTHWEST AREA LAND USE PLAN-1993.

Other Business

5.1 Mike Morrison, Director of Economic Development, gave an overview of the Downtown Development Program, including a history dating back to 1983 as well as future plans. Mr. Morrison introduced Reinvestment Zone board members in attendance. Kris Southward, Incentive Committee member, addressed the committee's role in developing a policy looking at criteria to recruit businesses, analyzing types of businesses, and increasing the tax base and researching funding or grants.

Mayor McCaleb stated Council appreciation and noted the Tax Increment Financing District plan has made a tremendous difference to downtown and Abilene in general, and it has truly been a story of rebirth - that downtown is the heart of a city and with that revitalization, the entire city is revitalized.

No Council action was required.

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.

Councilman Ferguson left following executive session.

Councilman Vasquez moved to approve Mayor McCaleb's appointment of Andrew Penns to fill a vacancy on the Landmarks Commission, term expiring 11/98. The motion was seconded by Councilwoman Alexander and the motion carried.

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

NAYS: None.

There being no further business, the meeting was adjourned at 12:40 p.m.

Jo Moore
City Secretary

Gary D. McCaleb
Mayor

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RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH
ABANDONMENT, AND CALLING A PUBLIC HEARING.