

CITY COUNCIL MEETING
June 10, 2004, 8:30 a.m.

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

The City Council of the City of Abilene, Texas, met in Regular Session on June 10, 2004, at 8:30 a.m. in Council Chambers, 555 Walnut Street. Mayor Norm Archibald was present and presiding with Councilmen Anthony Williams, John Hill, Jimmy McNeil, Kris Southward, and Councilwoman Laura Moore. Also present were City Manager Larry Gilley, Assistant City Attorney Dan Santee, City Secretary Jo Moore, and various members of the City staff.

Councilman Southward gave the invocation.

Taylor Huestis a second grade student from Jim Ned Elementary School led the Pledge of Allegiance. Taylor's mother and father, Terri and Shane Huestis, and grandmother, Jan Huestis, City of Abilene Payroll Coordinator were also present.

EMPLOYEE SERVICE AWARDS

Mayor Archibald, assisted by City Secretary Jo Moore, presented Employee Service Awards to the following individuals for their years of service:

25 Years	Beatrice Takacs	Librarian III Library
20 Years	Jo Rita West	Library Assistant I Library

PROCLAMATIONS

Mayor Archibald presented a proclamation to Lujana Miller recognizing the month of June as "Myasthenia Gravis Awareness Month".

PRESENTATIONS

Mayor Archibald recognized City of Abilene Information Coordinator, Pam Percival, for having received the Distinguished News Release Writing Communicator Award.

DISPOSITION OF MINUTES

2.0 There being one noted correction and no additions or deletions to the May 24, 2004 Regular City Council Minutes, Councilman Williams made a motion to approve the minutes as corrected and printed. Councilman Southward seconded the motion, and the motion carried.

AYES: Councilmen Williams, Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

CONSENT AGENDA

3.0 Councilman Hill made a motion to approve consent agenda items 3.1 through 3.4, items 3.9 and 3.10, and first reading of items 3.5 through 3.8, as recommended by staff. Councilman McNeil seconded the motion, and the motion carried.

AYES: Councilmen Williams, Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

Resolutions:

3.1 Oral Resolution approving a contract for Election Services with Taylor County Elections Office for the June 19, 2004 General & Special Runoff Elections.

3.2 Resolution appointing Election Officials and fixing their rate of compensation for the General & Special Runoff Elections on June 19, 2004.

The Resolution is numbered **16-2004** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING VARIOUS ELECTION OFFICIALS FOR THE JUNE 19, 2004 CITY GENERAL AND SPECIAL RUN OFF ELECTIONS, AND FIXING THEIR RATE OF COMPENSATION.

3.3 Oral Resolution approving a request from the Abilene Chamber of Commerce for a fireworks display near Crutcher Scott Baseball Field on July 4, 2004 at 9:15 p.m.

3.4 Oral Resolution authorizing the City Manager to execute a contract with the Texas Department of Health, Refugee Health Grant.

Ordinances:

3.5 **Z-1704** – Rezone from AO (Agriculture Open Space) to MH (Mobile Home) property located at 7133 West Lake Road; and set a public hearing for July 8, 2004 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “ZONING”, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

3.6 **Z-1804** – Rezone from RM-3 (Residential Multi-Family) and RS-6 (Residential Single-Family) to CU (College University), property located between Vogel and Lowden Streets, from Grape Street to Simmons Street; and set a public hearing for July 8, 2004 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- 3.7 **TC-0504** – Thoroughfare abandonment 30 feet of a north-south alley and 20 feet of an east-west alley between North 10th and State Streets and Willis and Westview Streets; and set a public hearing for July 8, 2004 at 8:30 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 **TC-0404** – Thoroughfare abandonment 34 feet of right-of-way adjacent to the lot at 2498 Buffalo Gap Rd; and set a public hearing for July 8, 2004 at 8:30 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.

Bid Awards:

- 3.9 **Bid #CB-4047** – Tractor-mowers for Parks Division. The bid was awarded to Parker Implement Company, Abilene, TX in the amount of \$53,746.00.
- 3.10 Self-contained mulch bagging unit for the Recycling Center. The bid was awarded to Rotochopper, Inc. in the amount of \$32,800.00.

REGULAR AGENDA

- 4.1 Elizabeth Grindstaff, Interim Director of Planning & Development Services briefed the Council on **Z-0604**, an Ordinance considered on second and final reading to rezone property located at State Highway 36 and FM 18 from AO (Agriculture Open Space) and PDD-2 (Planned Development District) to PDD (Planned Development District) zoning district.

Ms. Grindstaff stated the rezone request, by the City of Abilene agent Richard Burdine, is to allow Tige Boats to construct a new boat manufacturing facility on the subject property. The PDD would allow the use and other similar uses, while also providing for aesthetic control including limitations on outdoor storage, landscaping, and signage. Although the area of the PDD is 94+ acres Tige Boats will be developing approximately 48 acres and the remainder of the property will be available for future development. It was noted the Council had received a revised version of the ordinance that clarifies language on the last page of Exhibit "A", Airport and Height related Provisions. The language that was added is to ensure that nothing will affect the use of the Airport as a result of development of this property. Staff and the Planning and Zoning Commission recommend approval of the rezone request.

Mayor Archibald opened a public hearing on the item, and the following individual addressed the Council:

- Richard Burdine, CEO of the Development Corporation of Abilene and the Assistant City Manager of Economic Development for the City of Abilene noted that Tige Boats is a major employer and recommended Council approve the rezone request.

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

Councilman McNeil made a motion to approve the Ordinance considered on second and final reading to rezone property located at State Highway 36 and FM 18 from AO (Agriculture Open Space) and PDD-2 (Planned Development District) to PDD (Planned Development District) zoning district. Councilman Williams seconded the motion, and the motion carried.

AYES: Councilmen Williams, Hill, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

The Ordinance is numbered **13-2004** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-90 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

4.2 Shannon Meinhold, Planner II, Planning & Development Services briefed the Council on **Z-1404**, an Ordinance considered on second and final reading to rezone property located at 2417-2425 Church Street from RS-8 (Residential Single-family) to RM-2 (Residential Multi-family) zoning district.

Ms. Meinhold stated the applicant Mr. Glen Basenger wishes to rezone the two vacant lots for the development of duplexes. The agent, Andy Stanton, would purchase the lots contingent upon the approval of the rezoning. The agent would construct a duplex on one lot, live in one side of it and rent out the other side. The other lot would be improved with a duplex at a later time. Staff and the Planning and Zoning Commission recommend approval of the rezone request.

Mayor Archibald opened a public hearing on the item, and the following individual addressed the Council:

- Andy Stanton, agent, requested Council approve the rezone request.

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

Councilman Southward made a motion to approve the Ordinance considered on second and final reading to rezone property located at 2417-2425 Church Street from RS-8 (Residential Single-family) to RM-2 (Residential Multi-family) zoning district. Councilman McNeil seconded the motion, and the motion carried.

AYES: Councilmen Williams, McNeil, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSTAIN: Councilman Hill

The Ordinance is numbered **14-2004** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session pursuant to Sections 551.071, 551.074, and 551.072 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, and to consider the purchase, exchange, lease or value of real property.

REGULAR SESSION

The Council reconvened from Executive Session and reported no action taken.

There being no further business, the meeting was adjourned at 9:45 a.m.

Jo Moore
City Secretary

Norm Archibald
Mayor