

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chamber of the City Hall on Thursday, December 17, 1981, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall; Council - Seaton Higginbotham, Dick Bowen, Juan C. Rodríguez, A. E. Fogle, Jr., L. D. Hilton and Kathy Webster.

1. Call to Order.
2. INVOCATION: Councilman L. D. Hilton.
3. APPROVAL OF MINUTES: Regular Meeting held December 3, 1981 & Special Meeting held December 4, 1981.
4. AWARDS & PRESENTATIONS:

Elden H. Clements	Water Distribution	Superintendent	35 Years
Carl A. Howard	Water Utility Office	Sr. Meter Reader	20 Years

RECOGNITION: Retiring Members of Boards & Commissions.

CONSENT AGENDA

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

5. Ordinances
 - a. Consider on first reading - thoroughfare abandonment, being a 9' alley south of S. 14th to S. 16th Street between Butternut & Poplar Streets and a 20' alley extending east from Popular Street a distance of 126.11' abutting Lot 6, McClain Sub-division & set a public hearing for January 14, 1982, at 9:00 a.m.
 - b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PI & LI (Park Industrial & Light Industrial) Districts, being 35.88 acres located on T-20 & set a public hearing for January 14, 1982, at 9:00 a.m.
 - c. Consider on first reading - amendment to Section 15-16 of Abilene City Code relating to charges for birth and death certificates.
6. Resolutions
 - a. Authorize appointment of Assistant City Attorney.
 - b. Extension of Street Use License Agreement for Bus Stop Benches.
7. Award of Bids
 - a. Refuse Containers
 - b. Library Elevator
 - c. 52 Inch Mowers for Parks Department
 - d. Uniforms for Fire & Police Departments
8. Request to Advertise
 - a. Bids for Wastewater Treatment Plant Renovation.
 - b. Janitorial Contractual Services for Carver Recreation Center (South Park).
 - c. General Contractors for Joint Utilization Project.
 - d. Restroom facilities - Redbud & Reyes Flores Parks.
 - e. Office Furniture & Equipment for Abilene Transit System.

REGULAR AGENDA

9. Resolutions
 - a. Discussion of Risk Management Study.
 - b. Consider contract with State of Texas for a drainage easement off FM 89 (Buffalo Gap Road).
 - c. Approving Goodlow Program Replacement Housing Assistance payment in excess of \$15,000.
 - d. Consider contract with Pride Oil Company.

10. Award of Bids
 - a. Airport Terminal Elevator.
 - b. Carpet for Rose & Cobb Parks, & Civic Center.

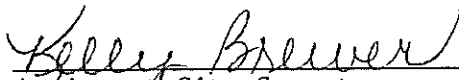
11. Other Business
 - a. Airport Leases - new leases concerning Old Terminal Building and surrounding area and tracks north of Abilene Aero Lease and LaJet Lease.
 - b. Amend Chaparral Airport Terminal Lease.
 - c. Pending & contemplated litigation.
 - d. Acquisition of Real Property.

12. Work Session
 - a. Consider Wastewater Treatment Plant Expansion Project.

ADJOURN

Certification

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of Abilene, Texas, on the 14th day of December, 1981, at 9:00 a.m.



Assistant City Secretary

CHAMBER OF THE CITY COUNCIL
CITY HALL, THE CITY OF ABILENE, TEXAS.

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, December 17, 1981, at 9:00 a.m. with Mayor Elbert E. Hall, present and presiding. Councilmen Seaton Higginbotham, Dick Bowen, Juan C. Rodriguez, A.E. Fogle, Jr., L.D. Hilton & Councilwoman Kathy Webster, present. City Manager Ed Seegmiller, City Attorney Harvey Cargill & City Secretary Ruth Hodgins, present.

Invocation by Councilman L.D. Hilton.

Minutes of last Regular Meeting held December 3, 1981, & Special Meeting held December 4, 1981, were approved as written.

Mayor Hall presented Service Awards to the following employees:

Elden H. Clements - Water Distribution - 35 Years	COMMENDING-
Carl A. Howard - Water Utility Office - 20 Years	SERVICE AWARDS

Mayor Hall presented Certificates of Appreciation to Retiring Members of Boards & Commissions which included the following:

Joe Black - Plumbing Appeals & Advisory Board - March, 79 to November, 1981
Bill Boyd - Board of Electrical Examiners- January, 1976 to November, 1981
Billy Glover - Community Development Committee - January, 1980 to November, 1981
Jack Harkins - Community Development Committee - March, 1978 to November, 1981
John Jimenez - Public Responsibility Committee - March, 1980 to November, 1981
Fred Olds - Board of Adjustment - August, 1979 to November, 1981
Bill Perry - Planning & Zoning Commission - August, 1978 to November, 1981
Ray Scott - Planning & Zoning Commission - August 1978 to November, 1981
Rex Stevens - Abilene-Taylor County Board of Health - Aug. 1978 to Nov. 1981
Ken Williams - Board of Electrical Examiners - August 1979 to November, 1981
Jordan Wood - Board of Adjustment - August, 1980 to November, 1981
Capt. Otis Sumlin - Public Responsibility Committee - October, 1980 to Nov. 1981
Glo Young - Carver Neighborhood Planning & Referral Committee - Oct. 1980 to November, 1981
Dr. Billye G. Gant - Abilene-Taylor County Board of Health - Aug. 1978 to November, 1981.
Dr. Bill Dulin - Library Board - August, 1977 to November, 1981
Mrs. Robert Hoppe - Library Board - August, 1979 to November, 1981.

Councilman Higginbotham moved passage of all the consent items, except 7 a, 7 b, 7 c, & 7 d. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

5. Ordinances

- a. Consider on first reading - thoroughfare abandonment, being a 9' alley south of S. 14th to S. 16th Street between Butternut & Poplar Streets and a 20' alley extending east from Poplar Street a distance of 126.11' abutting Lot 6, McClain Sub-division & set a public hearing for January 14, 1982, 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.

THOROUGHFARE
ABANDONMENT-
ALLEY BET.
BUTTERNUT &
POPLAR & ALLE
EXT. EAST OF
POPLAR ST.
1ST READING

- b. Consider on first reading - reclassification request from AO (Agricultural Open Space) to PI & LI (Park Industrial & Light Industrial) Districts, being 35.88 acres located on I-20 & set a public hearing for January 14, 1982, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 32, "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.

ZONING-RE
AO TO PI & LI
ON I-20
1ST READING

- c. Consider on first reading - amendment to Section 15-16 of Abilene City Code relating to charges for birth and death certificates.

AN ORDINANCE AMENDING CHAPTER 15, "HEALTH AND SANITATION" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

CODE AMENDED
HEALTH &
SANITATION
1ST READING

6. Resolutions

- a. Authorize appointment of Assistant City Attorney.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE APPOINTMENT OF AN ASSISTANT CITY ATTORNEY FOR THE CITY OF ABILENE.

CITY ATTORNEY
APPT. ASST.

- b. Extension of Street Use License Agreement for Bus Stop Benches.

STREET USE
LICENSE EXT.
ABILENE
JAYCEES

7. Award of Bids (all discussed below)

- a. Refuse Containers
- b. Library Elevator
- c. 52 Inch Mowers for Parks Department.
- d. Uniforms for Fire & Police Departments.

EQUIPMENT
PURC.

UNIFORMS
PURC.

8. Request to Advertise

- a. Bids for Wastewater Treatment Plant Renovation.
- b. Janitorial Contractual Services for Carver Recreation Center (South Park).
- c. General Contracts for Joint Utilization Project.
- d. Restroom facilities - Redbud & Reyes Flores Parks.
- e. Office Furniture & Equipment for Abilene Transit System.

WATER-PLANT
RENOVATION
PARKS-JANITOI
SERVICES
JOINT UTIL.
PROJECT &
RESTROOM
FACILITIES
EQUIP. PUR.
OFFICE FURNI.
REFUSE CON-
TAINERS

Bernard Huett, Purchasing Agent, said that they only proposed to buy what they needed on the Refuse Container Bids. He said that the bid was for more. This was the explanation for the appearance of a low bid.

Mr. Huett also explained that they purchased uniforms at different times of the year, but they were only purchasing the fall supply now.

UNIFORMS-
POLICE &
FIRE

Mr. Huett explained that he was recommending splitting the bid on the mowers, so that they could see how this new type of 52 Inch mower worked. It would help since the Staff would not have to worry about trailers or trucks to move the larger ones, that they usually buy.

MOWERS-52 INC

Jimmy Headstream, Building Maintenance Supervisor, said that there were some requirements put on the elevator at the Library which caused the bids to be higher. He said that it was necessary for them to submit a bid bond, performance bond, etc. He said that seven of the items bid could be delayed, which would help in the current budget.

LIBRARY-
ELEVATOR

After much discussion, Councilman Bowen moved approval of the award of bids for the Refuse Containers, Library Elevator, 52 Inch Mowers for Parks Department & Uniforms for the Fire & Police Departments. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Roy McDaniel, Director of Finance, said that about two years ago the Council authorized the City to have self insurance on the fleet & general liability. The Council authorized the establishment of a Risk Management Department, which would include a Risk Manager. He pointed out that they had sent proposals to five companies, receiving replies from all five. He said that all the proposals received were good, but two of the companies rely on outside help which makes them more expensive, and one is an insurance company.

RISK MANAGE-
MENT STUDY
DISCUSSION

Mayor Hall said that we should use parts of two companies, because of what they excel in. He pointed out that RIMCO and Fred S. James were his choice in conducting the evaluation for the City of Abilene.

After discussion, Councilman Fogle moved adoption of the oral resolution authorizing the City Manager to sign a letter of agreement with RIMCO Co. & Fred S. James for the Risk Management Study. It was agreed that the group health and life should be studied, but later, by the personnel and finance departments. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Councilman Higginbotham moved approval of replacement housing for Martin Rivera in excess of the \$15,000, which had been previously approved. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A REPLACEMENT HOUSING ASSISTANCE PAYMENT UNDER THE GOODLOW VOLUNTARY PROPERTY ACQUISITION AND RELOCATION PROGRAM.

PLANNING &
COMMUNITY
DEVELOPMENT-
APPROVE
ACCESS PAYME
MARTIN RIVER

Bob Whitehead, Director of Public Works, explained that the bid for the elevator project at the Municipal Airport. This was to improve accessibility for the handicapped. He said that the lowest bid received was \$54,817.00, which is \$28,817.00 over the budget. He said that the Staff recommended that the bid be rejected, change the specifications and re-bid. He said that there could be some changes in the bid specifications, that would probably bring the total cost of the project closer to budgeted figures.

AIRPORT-
ELEVATOR
PROJECT-
REJECTED

Mr. Whitehead also said that there would be plenty of time to request a waiver after re-bidding the elevator project, if it did not meet the budgeted figures.

After discussion, Councilwoman Webster moved to request the waiver now, which would relieve the City from constructing the elevator for the handicapped at the Airport Terminal Building. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Mr. McDaniel said that after the Staff had studied the bids for the carpet for Rose & Cobb Parks & the Civic Center, they were recommending that they be rejected.

PARKS- CARPE
FOR ROSE &
COBB PARKS
& CIVIC CENT
REJECTED

Councilman Hilton moved rejection of the bids on the carpet for Rose & Cobb Parks and the Civic Center, to be re-bid at a later date. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Mr. Whitehead explained how the new leases fit into the master plan of the Municipal Airport and the new concept. He pointed out the area on the map where 10¢ a square foot would be charged and where 6¢ would be charged.

AIRPORT-
NEW LEASE
CONCEPT-

Gary Landers, First Assistant City Attorney, went into detail in his explanation of the new lease form. He said that there were three different kinds of leases at the airport. They are executive hangar, commercial airline & fixed base operator. He pointed out that there would be no activity at the airport which would interfere with the normal activity of the airport.

Glenn Meeks, Airport Manager, said that there would be two fixed base operators now, if the Council approved the new lease with Air Center. He said that according to the leases, the fixed base operators would be the only ones who could sell fuel for airplanes, except where there was a club (which could sell to their members, only.)

AIRPORT-
NEW LEASE-
AIR CENTER

Billy Boone, Attorney, representing Air Center, a Texas Corporation, said that Charley Williams was President, Timmy Harlow Vice President, Bill Boone, Secretary-Treasurer, with Greg Pritchard & Bill Boyd as stock holders. He presented a letter of credit, showing that they had \$2 million available for this operation.

Mr. Seegmiller said that there was some discussion on lighting of the taxiway to Air Center location. He said that the City would be willing to provide illuminatus paint for the taxiway, but the lighting would be a capital outlay improvement.

Mr. Seegmiller said that the Staff was recommending \$36,000 for the building, even though the City had been asking \$40,000.

Bill Boyd, Air Center, said that they were questioning the provision in the lease, compelling them to stay open 24 hours a day. He said that if the taxiway was not lighted, they would not have any business. He said that they wanted to light the taxiway to FAA specifications, but were requesting the City to give them at least \$20,000 credit for doing so.

After much discussion, Councilman Bowen moved to approve the fixed base operator lease agreement with Air Center, at the Abilene Municipal Airport, subject to the improvements and time limits as shown by the four Phases on the Site Plan. The lease includes selling the old terminal building for \$36,000. It also includes the City to re-imburse Air Center \$20,000 or actual cost, whichever is less, amortizing it over a five year period of time (Air Center will construct taxiway lighting to meet FAA requirements and Airport Manager's approval). Air Center to lease unmarked area for 3¢ a square foot, land being the two triangulars between Phase I and existing Abilene Aero Hangar I Lease and the square area adjacent to Phase 3 and the transformer and the long rectangular between Phase 4 and the parking lot. The motion was seconded by Councilman Higginbotham. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Mr. Whitehead said that we had a request for a lease from K.C. Jet, Inc. to lease an area north of Zee Jet.

AIRPORT-
LEASE-
K.C. JET

Tom Choate, Attorney representing the group, said that they were a group of companies who formed K.C. Jet, Inc. a Texas partnership. One of their main activities would be charter service, he said.

After discussion, Councilman Bowen moved approval of the lease with K.C. Jet, Inc. to lease an area north of Zee Jet, subject to the minor changes in the lease which was agreed to by both parties. The motion was seconded by Councilman Fogle. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

Nays: None.

Mr. Whitehead said that we had a request for a lease with Jetex, Inc. to lease an area north of Abilene Aero.

AIRPORT-
LEASE-
JETEX, INC.

Mr. McDaniel said that this would bring our tax base up from 10 to 20 million. Facilities the lessees plan to construct and new aircraft to be added as a result were used to develop the projected tax base impact.

Councilman Bowen moved approval of the lease with Jetex, Inc. for an area north of Abilene Aero. The motion was seconded by Councilman Fogle. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

planned
Mr. Whitehead explained that Chaparral/to lease an area north of Zee Jet, which would be an amendment to the existing lease.

AIRPORT-
LEASE-
CHAPARRAL
AMENDMENT &
NEW LEASE

Mr. Landers said that it would be a 25 year lease, with a 25 year option, renegotiable, and a 5 yr. exclusive option.

Clark Stevens, President of Chaparral, said that they were determined to remain a full service airline. He brought out that their home office is in Abilene, with about 98% ownership in Abilene, which is good for the Company and the City.

Mr. Whitehead said that he had also received a request from Chaparral desiring to lease 745 square feet of unfinished space on the lower floor of the terminal building adjacent to the Press Room. Chaparral has received a cost estimate of \$26,200.00 to install a false ceiling, floor covering, partitions, air conditioning & heating. He said that he would recommend that the City lease Chaparral this space, rent free, until their expenditures have been amortized, and at that time start charging them the established rate per square foot. He pointed out that an amendment is being prepared to amend the existing terminal lease that will add this area at a cost of \$7.47 per square foot per year until the \$26,200.00 worth of improvements is amortized as a credit to their lease. (Subject to the Council's approval).

After discussion, Councilman Higginbotham moved approval of the lease to Chaparral of an area north of Zee Jet, to be set out in the lease itself. The motion was seconded by Councilwoman Webster. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

ABSTAINED: Councilman Bowen.

After discussion, Councilman Hilton moved approval of the amendment to the existing terminal lease, leasing them 745 square feet of unfinished space on the lower floor of the terminal building adjacent to the Press Room. Charging them no rent until the \$26,200.00 has been amortized at a rate of \$7.47 per square foot per year. The motion was seconded by Councilman Rodriguez. The motion carried as follows:

AYES: Councilmen Higginbotham, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

ABSTAINED: Councilman Bowen.

There was an executive session, with no action taken.

Councilman Bowen moved approval of purchase of a 56X140 lot adjacent to the Civic Center on the north, for \$17,500.00. This will be used for future parking. The motion was seconded by Councilman Hilton. The motion carried as follows:

AYES: Councilmen Higginbotham, Bowen, Rodriguez, Fogle, Hilton, Councilwoman Webster & Mayor Hall.

NAYS: None.

Dwayne Hargesheimer, Director of Water Utilities, explained that the City would need to adopt an ordinance with amended rates by April, 1982, then according to the federal guidelines, the enactment by September, 1983.

Mr. Seegmiller asked the Mayor & Council to study the information and provide philosophical guidance to the Staff in establishing the new rate structure and its implementation.

Allen Wright, Abilene Linen, and George Alexander, Gooch Packing Company, were present for the work session on the Wastewater Treatment Plant Expansion Project.

Mr. Alexander said that the wording of the ordinance was acceptable, but the rates are what they are having problems with.

CITY
COUNCIL-
EXECUTIVE
SESSION
CIVIC CENTER-
LAND
PURCHASED-
PARKING LOT

SEWER-
WORK SESSION-
WASTEWATER
TREATMENT
PLANT
EXPANSION
PROJECT

Leon Potter & Les Potter, with Potter & Associates, who are connected with one of the projects were present to answer any questions.

Jim Glaser, Parkhill Smith & Cooper, explained a sewer rate structure that had been found functional and practical, and which is used in several cities, consisting of the two charges listed below:

1. Service Charge - a fixed charge that is intended to cover certain fixed costs of the sewer department that are essentially independent of waste flow and strength.

2. Demand Charge or Use Charge - a variable charge that is dependent on flow and strength, and that is intended to cover sewer department costs that vary with flow and strength.

Mr. Hargesheimer said that they found that some other cities adjusted their rate every six months.

Mr. Hargesheimer said that the current projected budget was \$2,246,000.00. We would need an increase according to calculations in order to meet the budget in 1982, he said.

Mr. Hargesheimer presented the following table of charges, after presenting the proposed 1981-1982 Budget:

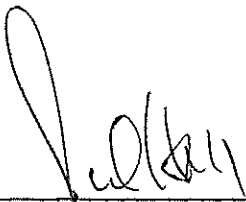
Vol.	- 30%	27¢	60%	- 30¢
BOD	- 45%	8.6¢/lb.	25%	4.8¢/lb.
S.S.	- 25%	5.7¢/lb.	15%	3.4¢/lb.

Mr. McDaniel said that we would have better numbers in the future in order to do the budget, after the thorough study has been made. He also said that we planned to sell Two Million Dollars worth of bonds in the spring to pay for our part of the cost of the new plant.

The Council decided not to take any action on the Abilene's wastewater treatment plant expansion project, but the City must adopt a new industrial waste ordinance and revise it's sewer rates as part of the conditions for receiving approximately \$6.2 million in federal funds for the \$8 million expansion.

There being no further business, Mayor Hall adjourned the meeting at 4:35 p.m.


CITY SECRETARY


MAYOR ELBERT E. HALL