

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chambers of the City Hall on Thursday, October 27, 1983, at 9:00 a.m.

CITY COUNCIL: Mayor Elbert E. Hall; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Juan C. Rodriguez, A. E. Fogle, Jr., Melton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilman Julian Bridges.
3. APPROVAL OF MINUTES: Regular Council Meeting held October 13, 1983.

4. AWARDS:

- a. Awards for outstanding achievement in energy conservation.

SERVICE AWARDS:

Haven H. Yarbrough	Police Officer	Police Department	25 Years
Patrick L. Bechtel	Fire Lt.	Fire Department	20 Years

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 requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

5. Ordinances
 - a. Appealed Item:
Consider on first reading - reclassification request from HI (Heavy Industrial) to MH (Mobile Home) district, located at Summit and Jarman and set a public hearing for November 3, 1983, at 9:00 a.m.
 - b. Consider on first reading - Ordinance amending fire classification plan & numbers of positions in each classification.
 - c. Consider on first reading - Ordinance amending Section 18-295, Motor Vehicles and Traffic, regarding fire lane locations at Westgate Mall.
6. Resolutions
 - a. Authorize Mayor to sign inter local animal control contract with Taylor County.
 - b. Authorize Mayor to sign U.M.T.A. Grant for census data planning.
7. Award of Bid
 - a. Excavator for Water Department.
8. Request to Advertise
 - a. 45" Raw water supply line.
 - b. Custodial service for Sears and South Park Recreation Centers.

REGULAR AGENDA

9. Ordinances and Resolutions

- a. Appealed Item:
Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to MH (Mobile Home) District, located on East Lake Road.
- b. Appealed Item:
Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) District, located on West Highway 80.
- c. Appealed Item:
Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to HC (Heavy Commercial) District, located on Hwy 83-84 & F.M. 707.
- d. Public Hearing - consider on second and final reading - a thoroughfare abandonment being Duck Avenue on the west side of Mystic Meadows Addition.
- e. Public Hearing - consider on second and final reading - reclassification request from AO and RS-6 (Agricultural Open Space & Residential Single Family) to RS-6, RS-8 and RS-12 (Residential Single Family) district, located west of Meadow Drive.
- f. Public Hearing - consider on second and final reading - Ordinance amendment to a PDC (Planned Development Commercial) district, located on Ridgemont Road.
- g. Public Hearing - consider on second and final reading - Ordinance amendment to a PDR (Planned Development Residential) district, being Kings Cross Addition.
- h. Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) district, located at I-20 and Highway 351.
- i. Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) district, located at Highway 83-84 and F.M. 707.
- j. Public Hearing - consider on second and final reading - reclassification request from AO (Agricultural Open Space) to RS-6 (Residential Single Family) district, located at F.M. 707 and Hardwick Road.
- k. Public Hearing - consider on second and final reading - a thoroughfare abandonment, being a north-south alley between Cypress and Pine.
- l. Public Hearing - consider on second and final reading - reclassification request from RM-2 (Residential Multi-Family) to HC (Heavy Commercial) district, located on Tracy Lynn Drive.
- m. Public Hearing to consider resolution authorizing oil well drilling permits, #8304, 8305, 8307, 8308, 8310, 8311, 8312, 8315, 8316, 8317, and 8318.
- n. Public Hearing to consider resolution authorizing oil well drilling permits, 8306, 8309, 8313, 8314, 8319, and 8320.
- o. Resolution - Consider request for waiver of required subdivision improvements in relation to proposed Airport Acres Addition.

10. Request to Advertise

- a. City Hall Air Conditioning System.

11. Other Business

- a. Don Anderson - Request for additional water for View-Caps Water Supply Corporation.
- b. Appointment and evaluation of public officials.
- c. Pending and Contemplated Litigation.

ADJOURN

REGULAR CITY COUNCIL MEETING
THURSDAY, OCTOBER 27, 1983 - 9:00 A.M.

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

The City Council of the City of Abilene, Texas, met in Regular Session, Thursday, October 27, 1983, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor Elbert E. Hall was present and presiding with Councilman Julian Bridges, Councilwoman Proctor-Shaw, Councilmen Carlos Rodriguez, A. E. Fogle, Jr., Welton Robinson and Harold Nixon. Also present were City Manager Ed Seegmiller, City Attorney Harvey Cargill, Jr., and City Secretary Patricia Patton.

Councilman Julian Bridges gave the invocation.

Councilwoman Proctor-Shaw moved approval of the minutes from the Regular City Council meeting held October 13, 1983. The motion was seconded by Carlos Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

Mayor Hall presented five (5) Energy Conservation Awards to those who have successfully implemented energy conservation measures or developed innovative energy saving ideas. The nominees were judged by the Citizens' Energy Council. The recipients were:

AWARDS - Engy.
conservation

West Texas Utilities, Business Category - accepted by Glen Churchill;
Abilene Volunteer Weatherization Program, Organization Category -
Henry McGinty, accepted by Nancy Johnson;
Mr. Chris Boyle, Builder Category - accepted by Chris Boyle;
Mr. John C. Reed, P.E., Individual Category - accepted by John Reed;
Mr. Floyd R. Ball, Special Recognition for his efforts in
conservation as being an original member of the Citizens'
Energy Council and serving as Chairman of the Council from
December 1980 to January 1982.

Mayor Hall also presented service awards to the following City employees for their tenure of service to the City of Abilene:

AWARDS - Service

Haven H. Yarbrough	Police Officer	Police Department	25 Years
Patrick L. Bechtel	Fire Lt.	Fire Department	20 Years

Councilman Nixon moved approval of the consent agenda items 5a through 8b as presented. The motion was seconded by Councilman Fogle and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

5. Ordinances

a. Appealed Item:

Consider on first reading - reclassification request from HI (Heavy Industrial) to MH (Mobile Home) district, located at Summit and Jarman and set a public hearing for November 3, 1983, at 9:00 a.m.

ZONING RE - HI-MH,
Summit & Jarman
1st read, appd.

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.

b. Consider on first reading - Ordinance amending fire classification plan and numbers of positions in each classification.

CLASS PLAN & BUDG
AMEND - Fire
positions, 1st
read, appd.

AN ORDINANCE AMENDING PART 6 OF ORDINANCE NO. 98-1983 AND PART 2 OF ORDINANCE 59-1979, AS TO THE CLASSIFIED PLAN FOR THE FIRE DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

- c. Consider on first reading - Ordinance amending section 18-295, Motor Vehicles and Traffic, regarding fire lane locations at Westgate Mall.

TRAFFIC -
Amend Fire
Lanes, Westgate
Mall, 1st read.
approved

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

6. Resolutions

- a. Authorize Mayor to sign inter-local animal control contract with Taylor County.

The item was passed by oral resolution.

- b. Authorize Mayor to sign U.M.T.A. Grant for census data planning. The resolution is numbered 99-1983 and captioned as follows:

UMTA GRANT -
re census
data planning
approved
99-1983

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

7. Award of Bid

- a. Excavator for Water Department - Awarded to Treanor Equipment Company.

AWARD BID -
Excavator,
Water Dept.
approved

8. Request to Advertise

- a. 45" Raw water supply line.
b. Custodial service for Sears and South Park Recreation Centers.

REQ. TO ADV -
45" raw water
line; cust.
svcs Sears &
So. Pks. appd.

Brad Stone, Principal Planner, briefed the Council on a reclassification request from AO (Agricultural Open Space) to MH (Mobile Home) district, being an appealed item located on East Lake Road. The Planning & Zoning Commission denied the request by vote of three in favor and two against, lacking four affirmative votes for passage, thereby prompting the appeal from the proponents.

Mayor Hall opened a public hearing for the purpose of considering the reclassification request and the following persons spoke either in favor or in opposition of the request.

IN FAVOR:

Dave Adams, 141 Mulberry, of Curry Engineering Inc.;
Steve Hood, applicant

IN OPPOSITION:

Don Seamster, attorney representing property owner Bill Allen and some neighbors;
Max King, Rt. 1, Box 460, property owner in area;
Dr. P. L. Berry, property owner in area;
Mr. Artie Butler, property owner in area;
Cindy Blakley, resident E. Lake Road.

There being no one else present and desiring to be heard, Mayor Hall closed the public hearing. The staff responded to several questions from the Council regarding the conformity of the mobile home park as a single-family district. The park does conform with the designations for a single-family in the Land Use Plan. However, there is no distinction made in the Land Use Plan between mobile home parks and single-family dwellings. Mayor Hall stated it would be helpful to the Council if the staff would identify those areas that are appropriate for mobile homes in the Land Use Plan.

There is presently no fire station in the radius area (one and one half miles), however the area is serviced from the fire station located on EN 19th Street. A future plan is being considered to better service this area.

Councilwoman Proctor-Shaw moved to deny the zoning reclassification request from A0 to MH, located on East Lake Road. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Fogle, Nixon and Mayor Hall.

NAYS: Councilman Rodriguez.

ABSTAIN: Councilman Robinson.

ZONING RE -
A0 to MH/E.
Lk. Rd., 2nd &
final
DENIED

Brad Stone briefed the Council on a reclassification request from A0 (Agricultural Open Space) to GC (General Commercial) district, located on West Highway 80. The request was denied by the Planning & Zoning Commission and staff also recommends denial. The request is to permit on-premise sale of alcohol at the Armadillo Speedbowl, however, the Zoning Ordinance does not allow commercial auto racing in a GC district, in accordance with the adopted land use plan for the area.

Mayor Hall opened a public hearing for consideration of the aforementioned reclassification request and the following person spoke in favor of the request.

IN FAVOR:

Mr. Boyce Walker, Manager Armadillo Speedbowl.

IN OPPOSITION:

No one.

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Nixon moved to deny the reclassification request. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

ZONING RE -
A0 to GC/W.
Hwy. 80, 2nd
& final
DENIED

Brad Stone, Principal Planner, briefed the Council on a reclassification request from A0 (Agricultural Open Space) to HC (Heavy Commercial) district, located on Highway 83-84 and FM 707. The request was denied by the Planning & Zoning Commission and staff also recommends denial. Apparently there was a misunderstanding between the staff and the proponent as to which zoning should be requested. The staff would agree to GC (General Commercial) zoning for the area.

Jimmy Partin, III, agent for the applicant, spoke in favor to the GC zoning and stated that staff had instructed the applicant to apply for HC zoning in error. The applicant would accept GC zoning.

No one was present for the public hearing, therefore Mayor Hall saw no need to hold a public hearing and in an attempt to expedite the request asked for the wishes of the Council.

Councilwoman Proctor-Shaw moved that the reclassification request be returned to the Planning & Zoning Commission in order for the applicant to request the proper zoning, being GC. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

ZONING RE -
A0 to HC/Hwy
83-84 & FM 707
Returned to P&Z

Brad Stone, Principal Planner, briefed the Council on a thoroughfare abandonment, being Duck Avenue west of Mystic Meadows Addition. The street has never been opened and is presently covered with grass. Staff recommends abandoning only the eastern 10 feet of Duck Avenue, retaining the western 20 feet for use of an alley and two 10' by 10' corner clips at the north and south ends of Duck Avenue to be east-west alleys at either end of Duck Avenue. The Planning & Zoning Commission recommends a second alternative being a complete thoroughfare closure retaining the western 20 feet only as an easement for possible utility access.

Mayor Hall opened a public hearing for the purpose of considering the aforementioned thoroughfare abandonment with the following persons speaking either in favor or in opposition to the request.

IN FAVOR:

- Mr. Bill Brewington, Rt. 7, Box 69, spoke in favor of the P & Z recommendation;
- Mr. Jordan Wood, developer to the West and South of the area in question. He explained the future plans for the area.
- Mr. Jack Chamberlain, 111 Judge Ely Blvd., developer, and spoke in favor of the P & Z recommendation.

IN OPPOSITION:

No one

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Bridges moved to approve the recommendation of the Planning and Zoning Commission, being to abandon the complete 30' by 950.5' section of Duck Avenue, subject to retaining the western 20' as a utility easement. The motion was seconded by Councilman Rodriguez and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

THOR. ABAND -
Duck Avenue
2nd & final
approved
116-1983

The ordinance is numbered 116-1983 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.

Brad Stone, Principal Planner, briefed the Council on items 9E through 9J and 9L, being various reclassification requests and Bob Whitehead, Director of Public Works, briefed on item 9K, thoroughfare abandonment, as shown below.

- e. A0 and RS-6 (Agricultural Open Space & Residential Single Family) to RS-6, RS-8 and RS-12 (Residential Single Family) district, located west of Meadow Drive.
- f. Ordinance amendment to a PDC (Planned Development Commercial) district, located on Ridgemont Road.
- g. Ordinance amendment to a PDR (Planned Development Residential) district, being Kings Cross Addition.
- h. A0 (Agricultural Open Space) to GC (General Commercial) district, located at I-20 and Hwy 351.
- i. A0 (Agricultural Open Space) to GC (General Commercial) district, located at Hwy 83-84 and FM 707.
- j. A0 (Agricultural Open Space) to RS-6 (Residential Single Family) district, located at FM 707 and Hardwick Rd.
- k. Thoroughfare abandonment, being a north-south alley between Cypress and Pine Streets.
- l. RM-2 (Residential Multi-Family) to HC (Heavy Commercial) district, located on Tracy Lynn Drive.

Staff recommends approval on all the aforementioned items. Mayor Hall opened a public hearing for consideration of all items 9E through 9L. No one present and desiring to be heard, Mayor Hall closed the public hearing.

Councilwoman Proctor-Shaw moved approval of the aforementioned items 9E through 9L on second and final reading as presented. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The ordinances are numbered 117-1983 through 124-1983 respectively and are captioned as follows:

Ordinances: 117-1983, 120-1983, 121-1983, 122-1983 and 124-1983

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.

Ordinance 118-1983

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 53-1982, CONCERNING THE RHODES PLAZA PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Ordinance 119-1983

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 55-1982, CONCERNING THE KINGS CROSS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Ordinance 123-1983

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.

Mayor Hall expressed sincere appreciation to Mr. Andy Pollack, City Hall reporter for Abilene Reporter-News, on behalf of the City staff and entire City Council. Mr. Pollack has obtained a job in New York to continue his career and will be leaving the City.

Diane Foresman, Assistant Land Agent, briefed the Council on several permits for oil welling drilling, being #8304, 05, 07, 08, 10, 11, 12, 15, 16, 17 and 18, which are part of the Lake Kirby "C" and "D" leases executed September 1982 and March 1982 and in the name of Abilene Exploration. The staff has reviewed these permits and finds them consistent with current City codes and the leases. Staff recommends approval by oral resolution.

Mayor Hall opened a public hearing for the purpose of considering the aforementioned leases and the following persons spoke either in favor or in opposition to the permits.

IN FAVOR:

Jim Alexander, Lubbock, representing Abilene Exploration, Inc.;
Jim Krejci, geologist;
L. D. Hailey, Abilene Exploration, Inc.

IN OPPOSITION:

Jerry O'Bryant, opposed due to the danger to the wildlife and questioned the liability if an oil spill were to occur.

ZONING RE - A0
& RS-6 to RS-6
RS-8 & RS-12/
W. Meadow Dr.
2nd & final
117-1983

PDC AMEND -
Rhodes Plaza
Addn., 2nd &
final, appd.
118-1983

PDR AMEND-King:
Cross Addn. 2nd
& final, appd.
119-1983

ZONING RE-A0 to
GC/1-20 & Hwy
351, final
120-1983

ZONING RE-A0 to
GC/Hwy 83-84 &
FM 707, final
121-1983

ZONING RE-A0 to
RS-6/FM 707 &
Hardwick Rd.
final
122-1983

THOR. ABAND-
Cyp. & Pine St
final
123-1983

ZONING RE-RM-2
to HC/Tracy
Lynn Dr.
final
124-1983

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Staff responded to the questions raised during the public hearing. Mayor Hall mentioned that in the future, staff might find it favorable to require a corporate surety bond instead of a personal surety bond. Staff mentioned there is a question regarding permit #8304, in that ~~is~~ it is ~~is~~ undetermined at this time whether the well falls outside the 100 year flood plain.

Councilman Bridges moved to approve all the permits as presented, including #8304 only if it falls outside the 100 year flood plain and staff will make that determination by whatever means necessary. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.
NAYS: None.

OIL & GAS -
drilling per-
mits aprd.
#8304,05,07,
08,10,11,12,
15-18
Oral Resol.

Diane Foresman, Assistant Land Agent, briefed the Council on six permits for oil well drilling, being #8306, 09, 13, 14, 19 and 20, which are part of the Lake Kirby "C" lease executed September 1982 in the name of Abilene Exploration, Inc. Staff has reviewed the permits and finds them inconsistent with the lease provisions for oil wells drilled around City lakes. The lease specifies each well must be located not closer than 500 feet from the waters shore when the lake is at spillway elevation (1786 feet above mean sea level). Therefore, the staff ~~recommends disapproval.~~ did not recommend approval.

Mayor Hall opened a public hearing for the purpose of considering the aforementioned permits with the following persons speaking either in favor or in opposition to the item.

IN FAVOR:

Jim Krejci, Geologist
Jim Alexander, Lubbock, representing Abilene Exploration, Inc., and asked that the Council approve these permits contingent on Abilene Exploration supplying the Council survey information necessary and the modification, if necessary, of the drilling pads to conform with the spillway elevation requirements;

IN OPPOSITION:

Jerry O'Bryant, opposed due to the danger to the wildlife.

No one else present and desiring to be heard, Mayor Hall closed the public hearing.

Councilman Bridges moved to deny the permits for oil well drilling. The motion was seconded by Councilman Nixon and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Robinson, Nixon and Mayor Hall.
NAYS: Councilman Fogle.

OIL & GAS -
drilling per-
mits DENIED
#8306,09,13,
14,19 & 20

Bob Whitehead, Director of Public Works, briefed the Council on the waiver request from Curry Engineering, Inc., agent for Jordan Wood, developer, for waiver of street improvements and installation of sewer and water lines for the proposed Airport Acres Addition, located within the Extraterritorial Jurisdiction. Water is accessible from the Potosi Water Supply Corporation; nearest sewer availability is approximately 3½ to 4 miles north of the location; and the developer's boundary street is a hard surfaced county road and does not meet City specifications.

After some discussion, Mayor Hall moved to approve the waiver for the City water requirement, as water is accessible from the Potosi Water Supply Corporation, pending receipt of a letter to the Director of Public Works from this corporation stating in fact

this property will be served by its system; and denying the waiver request relative to street improvements. The motion was seconded by Councilman Bridges and the motion carried as follows:

AYES: Councilmen Bridges, Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

ABSTAIN: Councilwoman Proctor-Shaw.

The resolution is numbered 100-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, WAIVING IMPROVEMENTS REQUIRED BY THE SUBDIVISION ORDINANCE RELATIVE TO THE PROPOSED AIRPORT ACRES ADDITION WHICH ABUTS AN UNNAMED COUNTY ROAD.

Gene Cook, Resources Services Administrator, briefed the Council on a request to advertise for City Hall air conditioning system. He reported that the air conditioning system experienced severe problems approximately three weeks ago and the staff asked Natkin Services, air conditioning specialists to assist in securing a system until the determination was made to the cause of the problem. Mr. Cook gave a detailed, technical synopsis of the findings, briefly being caused by normal wear and tear and acid formations within the system. Natkin's recommendations were:

1. Evaporator - Replace all 225 tubes in the evaporator section at an estimated cost of \$62.20 per tube or \$13,995. When the evaporator is opened up, additional damage may be discovered which could increase the cost to repair considerably.
2. Condenser - one tube should be plugged off now. The unit could probably be operated for another year without additional failure. But, since the acid is already in the system, additional tests should be made in one year to determine tube condition. Cost to plug the one tube is approximately \$40.00. If all 186 of the tubes were replaced, the cost would be approximately \$11,569.
3. Compressor - tear down this section since acid had been found in the unit and some damage here was probable. A cost of \$14,000 to \$16,000 was estimated for the task.
4. Purchase Clean-up Kit - The acid already in the system cannot be completely removed. However, a clean-up kit should be installed to filter the refrigerant to retard the spread of the acid. Cost \$1,100.

The following alternatives were discussed:

1. Retubing of the evaporator section - Estimate \$15,095;
2. Tear down and inspection of compressor in addition to the evaporator repair and clean-up kit - minimum cost for alternatives 1 and 2, \$29,095 to \$31,095;
3. Retube condenser in addition to alternatives 1 and 2 - minimum cost of alternatives 1, 2, and 3 - \$40,664 to \$42,664;
4. Replace the entire chiller components (includes the evaporator, compressor, and condenser - new system estimated cost \$53,726 to \$70,000.

Staff recommends procurement of a new system, due to the age of the system and history of increased breakdowns. It is recommended to advertise for equipment purchase separately from the installation and startup. Request for bids would be sent directly to the factory and bids from local firms would be requested for the installation and a wider distribution for the startup.

Mayor Hall asked for the opinion of Councilman Rodriguez, a specialist in this area. Councilman Rodriguez gave his report, reiterating some items mentioned by Mr. Cook and explaining further the reasons for the incident occurring. Councilman Rodriguez made the following recommendations:

1. Replace the chiller, by a direct purchase through the City;
2. Start-up be conducted by the manufacturer representative;
3. That the City look at a service contract for the chiller and perhaps the associated pumps and cooling tower, everything directly related to the chiller;
4. Hire a local contractor that does mechanical work to install the machine and prepare it for start-up.
5. That the City staff look into our preventive maintenance program and make improvements to what is presently being done and what has been done in the past.

He also felt that one cooler will do the job, instead of two, if everything else was balanced right and if we shut off the equipment when the building is not being occupied.

Roy McDaniel, Assistant City Manager, briefed on the funding for a new unit if desired. The funds were not budgeted for this occurrence, but maintenance accounts might be available. Also, funds from other areas that appear favorable might be used. It is requested that the Council allow permission to explore every alternative with primary emphasis on a new system, whether it is one or two.

Gene Cook explained another financing alternative through energy saving measures.

Councilman Rodriguez moved to authorize the staff to proceed with the request to advertise for the purchase of a new chiller and to look at all the alternatives for financing and his previous recommendations (as shown above items 1-5). The motion was seconded by Councilman Fogle and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

REQ TO ADV-
City Hall
A/C new system
approved

Don Anderson, Whitten, Haag, Hacker, Hagin & Cutbirth law offices, representing View-Caps Water Supply Corporation appeared before the City Council request a formal request to grant View-Caps an increase in total volume of water per an extension of the contract. View-Caps W.S.C. obtained a water supply contract from the City Council which provides currently for 120 million gallons a year for a term of 40 years with the option to renew the contract for an additional 10 years. View-Caps is requesting at this time that they be granted an additional 120 million gallons of water per year increasing the total to a maximum of 240 million gallons per year with at least a 40 year term from the date of that new contract. View-Caps currently has requests for service, but are unable to meet those request for lack of additional water. View-Caps has attempted to find other alternatives, but have not been successful. Further, that the Board of Directors at View-Caps W.S.C. has given the City Council an open invitation to discuss the situation in a public meeting, without lawyers, in order to resolve these issues.

Mayor Hall thanked Mr. Anderson for the presentation and adjourned the Council into executive session to consider appointment and evaluation of public officials and pending and contemplated litigation.

The Council reconvened from executive session with the following action.

No action to be taken on the View-Caps W.S.C. formal request for additional water at this time.

John Pierce, Land Agent, briefed the Council on the Grape Street widening project with the determination that negotiations are futile on five (5) parcels of land being as follows:

Parcel 1, Estate of Pearl J. Noble, 1357 Grape Street - \$5,000;
Parcel 18, Ruth Likens Estate, Edward C. Wentrcek, Sr., Adminis-
trator, NE corner of N. 20th and Grape Streets - \$1,350.00;
Parcel 23, Farrel Reeder, 2166 Grape Street - \$13,675;
Parcel 24, Andrea Herrera, 2150 Grape Street - \$320;
Parcel 25, Vernon Paul and wife, Bernice Paul, 2142 Grape Street -
\$100.

Councilman Fogle moved approval of the five resolutions ordering eminent domain proceedings on the aforementioned five (5) parcels of land regarding the Grape Street Widening Project, being parcels 1, 18, 23, 24, and 25, at the amounts specified. The motion was seconded by Mayor Hall and the motion carried as follows:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Rodriguez, Fogle, Robinson, Nixon and Mayor Hall.

NAYS: None.

The resolutions are numbered 101-1983 through 105-1983 respectively and captioned identically the same as below:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
DECLARING THE NECESSITY FOR ACQUIRING BY CONDEMNATION THE FEE
SIMPLE TITLE TO CERTAIN DESCRIBED PROPERTY FOR RIGHT-OF-WAY
PURPOSES OF THE GRAPE STREET WIDENING AND IMPROVEMENT PROJECT,
AND ORDERING THE CONDEMNATION OF SAID PROPERTY TO PROCEED.

There being no further business the meeting was adjourned at
4:20 p.m.



Patricia Patton
City Secretary



Elbert E. Hall
Mayor

STR. IMPROV-
Grape St.
Widn. Proj.
eminent
domain procdgs
Parcels 1, 18,
23, 24 & 25
approved.
101-1983
through
105-1983