

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, November 17, 1983, at 9:00 a.m.

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

1. Call to Order.
2. INVOCATION: Councilman Harold Nixon.
3. APPROVAL OF MINUTES: Regular Council meetings held October 27 and November 3, and public hearing on Northwest area annexation held November 4, 1983.

4. SERVICE AWARDS:

Ewing Nelson	Dist. Fire Chief	Fire Department	35 Years
Johnnie D. Edwards	Dist. Fire Chief	Fire Department	25 Years
Royce T. Griffin	Fire Lt.	Fire Department	25 Years
Charles T. Hancock	Sr. Firefighter	Fire Department	25 Years
Adis D. Long	Fire Lt.	Fire Department	25 Years
Henry C. Richter	Firefighter	Fire Department	25 Years
Melvin G. Thane	Sr. Firefighter	Fire Department	25 Years
Thomas Beeman	Plant Supervisor	Wastewater Trmt	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. Consider on first reading - Ordinance amending Section 21-23, "Oil & Gas" Abilene Municipal Code, regarding performance bond requirements, and set a public hearing for December 1, 1983, at 9:00 a.m.
 - b. Appealed Item:
Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) district, located on Curry Lane and set a public hearing for December 1, 1983, at 9:00 a.m.
 - c. Appealed Item:
Consider on first reading - reclassification request from MH (Mobile Home) to GC (General Commercial) district, located on West Lake Road (F.M. 600) and set a public hearing for December 1, 1983, at 9:00 a.m.
 - d. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to PDD (Planned Development) district, located at N. 10th & Clack Streets, and set a public hearing for December 1, 1983, at 9:00 a.m.
 - e. Consider on first reading - reclassification request from RM-3 (Residential Multi-Family) to RM-2 (Residential Multi-Family) district, located at 2511 & 2509 S. 22nd Street and set a public hearing for December 1, 1983, at 9:00 a.m.
 - f. Consider on first reading - reclassification request from RS-6 (Residential Single Family) to RM-3 (Residential Multi-Family) district, located at Bob-0-Link Drive and Brentwood Drive and set a public hearing for December 1, 1983, at 9:00 a.m.
 - g. Consider on first reading - reclassification request from SC (Shopping Center) to GC (General Commercial) district, located at 4840 N. 10th Street and set a public hearing for December 1, 1983, at 9:00 a.m.
 - h. Consider on first reading - reclassification request from AO (Agricultural Open Space) to RS-12 (Residential Single Family) district, located on East Lake Road and set a public hearing for December 1, 1983, at 9:00 a.m.
 - i. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC (General Commercial) district, located at I-20 & A & N Railroad and set a public hearing for December 1, 1983, at 9:00 a.m.

- j. Consider on first reading - Amendment to PDD Ordinance, for Riverside Park located in the 3500 block of Russell Avenue and set a public hearing for December 1, 1983, at 9:00 a.m.
 - k. Consider on first reading - reclassification request from LI (Light Industrial) to GC (General commercial) district, located at S. Clack & Arrowhead Dr. and set a public hearing for December 1, 1983, at 9:00 a.m.
 - l. Consider on first reading - reclassification request from AO (Agricultural Open Space) to GC, RM-2, RM-3 & RS-6 (General Commercial, Residential Multi-Family & Residential Single Family) districts, located at Chapel Hill Road & Military Drive and set a public hearing for December 1, 1983, at 9:00 a.m.
- 6. Resolutions
 - a. Easement Release being a 15' utility easement, Pleasant Hill Estates, located on Caldwell Road.
 - b. Easement release, being five street light easements and three utility easements, Stonegate Addition, located on High Life Circle.
 - c. Authorize City Manager to sign addendum to American Management Systems contract and solicit proposals for computer hardware.
 - d. Resolution - Consider amendment to Street Use License for West Texas Wholesale on Plum Street.
 - 7. Award of Bid
 - a. Encoders-Decoders for 2 way radios in 10 divisions.
 - 8. Request to Advertise
 - a. Uniforms for Police and Fire Departments.
 - b. 32" scrubbervac machine for synthetic floor for Sears Recreation Center.

REGULAR AGENDA

- 9. Ordinances and Resolutions
 - a. Public Hearing - consider five oil well drilling permits #8321 through 8325.
 - b. Public Hearing - resolution to consider permission to apply for Urban Park Fund Grants.
 - c. Resolution - amending schedule of utility rates and charges.
 - d. Consider on first reading - Ordinance amending Chapter 18, "Motor Vehicles & Traffic", concerning downtown parking and set a public hearing for December 1, 1983, at 9:00 a.m.
- 10. Request to Advertise
 - a. Signalization of the intersection of Buffalo Gap Road & Rebecca Lane.
- 11. Other Business
 - a. Discussion of Technical Assistance Grant.
 - b. Suspension and consideration of West Texas Utilities' rate request.
 - c. Appointment and evaluation of public officials.
 - d. Pending and Contemplated Litigation.
 - e. Appointments to various Boards and Commissions.

ADJOURN

REGULAR CITY COUNCIL MEETING
 THURSDAY, NOVEMBER 17, 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, November 17, 1983, at 9:00 a.m. Mayor Elbert E. Hall was present and presiding with Councilman Julian Bridges, Councilwoman Billye 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 Harold Nixon gave the invocation.

Councilman Bridges made two corrections on the minutes for October 27, 1983, being page six, paragraphs two and four duly recorded. Councilwoman Proctor-Shaw moved approval of the minutes, with the corrections stated, of the Regular Council meeting held October 27 and November 3, and public hearing on Northwest area annexation held November 4, 1983. 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.

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

AWARDS -
 Employee
 Service

Ewing Nelson	Dist. Fire Chief	Fire Department	35 Years
Johnnie D. Edwards	Dist. Fire Chief	Fire Department	25 Years
Royce T. Griffin	Fire Lt.	Fire Department	25 Years
Charles T. Hancock	Sr. Firefighter	Fire Department	25 Years
Adis D. Long	Fire Lt.	Fire Department	25 Years
Henry C. Richter	Firefighter	Fire Department	25 Years
Melvin G. Thane	Sr. Firefighter	Fire Department	25 Years
Thomas Beeman	Plant Supervisor	Wastewater Trmt	20 Years

Mayor Hall presented certificates of appreciation to the following employees in commemoration of their contribution to the 1983-84 United Way Campaign as members of the City's United Way Committee. Mayor Hall also thanked each employee of the City for their contributions to the United Way Campaign.

AWARDS -
 United Way
 Campgn.

Jack Hendrix	Water Dept.	Walter Graham	Comm. Svcs Dept.
Joann Boyd	Finance Dept.	Jim Beard	Traffic Dept.
Robert Stewart	Fire Dept.	John Pierce	Bldg. Insp. Dept.
Gary Landers	Legal Division	Pat Harris	Personnel Division
Bill Sergeant	Public Works Dept.	Gene Keese	Police Dept.
Wayne Herrington	Planning Dept.		

Mayor Hall removed from the agenda items 5e and 5f since they were not approved by the Planning and Zoning Commission and have not been appealed, being a reclassification request from RM-3 to RM-2, located on S. 22nd Street; and a request from RS-6 to RM-3, located at Bob-O-Link and Brentwood Drives.

Councilman Bridges 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. Consider on first reading - Ordinance amending Section 21-23, "Oil & Gas" Abilene Municipal Code, regarding performance bond requirements and set a public hearing for December 1, 1983.

OIL & GAS - Ord.
 amend re perf.
 bond/1st read app

AN ORDINANCE AMENDING CHAPTER 21, "OIL AND GAS" BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

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| <p>b. Appealed Item: Consider on first reading - reclassification request from AO to GC district, located on Curry Lane and set a public hearing for December 1, 1983.</p> <p>c. Appealed Item: Consider on first reading - reclassification request from MH to GC district, located on West Lake Road (FM 600) and set a public hearing for December 1, 1983.</p> <p>d. Appealed Item: Consider on first reading - reclassification request from RS-6 to PDD district, located at N. 10th and Clack Streets, and set a public hearing for December 1, 1983.</p> <p>e. Removed from agenda.</p> <p>f. Removed from agenda.</p> <p>g. Consider on first reading - reclassification request from SC to GC district, located at 4840 N. 10th Street and set a public hearing for December 1, 1983.</p> <p>h. Consider on first reading - reclassification request from AO to RS-12 district, located on East Lake Road and set a public hearing for December 1, 1983.</p> <p>i. Consider on first reading - reclassification request from AO to GC district, located at I-20 & A & N Railroad and set a public hearing for December 1, 1983.</p> <p>j. Consider on first reading - amendment to PDD Ordinance, for Riverside Park located in the 3500 block of Russell Ave. and set a public hearing for December 1, 1983.</p> <p>k. Consider on first reading - reclassification request from LI to GC district, located at S. Clack and Arrowhead Dr. and set a public hearing for December 1, 1983.</p> <p>l. Consider on first reading - reclassification request from AO to GC, RM-2, & RS-6 districts, located at Chapel Hill Road and Military Drive and set a public hearing for December 1, 1983.</p> | <p>ZONING RE-AO to GC/Curry Ln 1st read. appd.</p> <p>ZONING RE-MH to GC/W. Lk. Rd. 1st read. appd.</p> <p>ZONING RE-RS-6 to PDD/N. 10th & Clack, 1st read appd.</p> <p>ZONING RE-SC to GC/4840 N. 10th 1st read. appd.</p> <p>ZONING RE-AO to RS-12/E. Lk. Rd. 1st read appd.</p> <p>ZONING RE-AO to GC/I-20 & A&N RR 1st read appd.</p> <p>PDD ORD-amend Riverside Pk, 1st read appd.</p> <p>ZONING RE-LI to GC/S. Clack & Arrowhd, 1st read appd.</p> <p>ZONING RE-AO to GC, RM-2, RS-6/ Chapel Hill Rd. & Mil. Dr., 1st read appd.</p> |
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- Captions: 5b, c, g-i, k & l

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.

5d: AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING HOLIDAY HILLS PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

5j: AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE AND ORDINANCE NO. 112-1982, CONCERNING THE RIVERSIDE PARK PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

6. Resolutions

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| <p>a. Easement Release being a 15' utility easement, Pleasant Hill Estates, located on Caldwell Road. The resolution is numbered <u>107-1983</u> and is captioned as follows:</p> | <p>EASEMENT REL- Pleasant Hill Estates, appd. 107-1983</p> |
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

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| <p>b. Easement release, being five street light easements and three utility easements, Stonegate Addition, located on High Life Circle. The resolution is numbered <u>108-1983</u> and is captioned as follows:</p> | <p>EASEMENT REL- High Life Cr. appd. 108-1983</p> |
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE THE ATTACHED EASEMENT RELEASE.

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| <p>c. Authorize City Manager to sign addendum to American Management Systems contract (#4) and solicit proposals for computer hardware. The item was passed by <u>oral resolution</u>.</p> | <p>ACCTG SYSTEM- Contract Amend #1 w/AMS</p> |
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| <ul style="list-style-type: none"> d. Resolution - consider amendment to Street Use License for West Texas Wholesale on Plum Street. The item was passed by <u>oral resolution</u>. <ul style="list-style-type: none"> 7. Award of Bid <ul style="list-style-type: none"> a. Encoders-Decoders for 2-way radios in ten (10) divisions. 8. Request to Advertise <ul style="list-style-type: none"> a. Uniforms for Police and Fire Departments. b. 32" scrubervac machine for synthetic floor for Sears Recreation Center. | <p>STR. USE LIC -
amend re W.TX
Wholesale appd.</p> <p>AWARD BID -
radios</p> <p>REQ. TO ADV -
Uniforms fire &
Police/floor
machine for Sears
Rec. Center.</p> |
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Ed Seegmiller, City Manager, briefed the Council on five (5) oil well drilling permits #8321 through #8325, located on Lake Kirby "A" lease to DeSoto Operating Company, and Lake Kirby "B" lease to Desoto Operating Company. These wells have been in production since 1981-82 without drilling permits due to an oversight and misunderstanding by both the City of Abilene and DeSoto Operating Company. The five applications have been reviewed by the appropriate City staff and comply with the lease and City Code requirements except in two areas. The applicant has submitted a \$50.00 filing fee on each permit where a \$100.00 filing fee is now required. Secondly, the applicant submitted a \$10,000 performance bond on each well where a \$50,000 bond is now required. These two deficiencies met the minimum City Code requirements under previous provisions. Also, upon inspection of the well sites, it was noticed that well 8321 and 8322 need to be fenced as a requirement of the City Code and there is excessive storage of oil field equipment and supplies on the "A" lease, which should be cleared off to an appropriate location meeting the Zoning Ordinance.

Councilman Bridges questioned the requirements of the leases concerning fencing and the proper tank batteries. Arkie Pierce, Land Agent, and Diane Foresman, Assistant Land Agent, responded to the Council's questions. Councilman Rodriguez asked why the applicants did not acquire the proper permits prior to drilling. The staff responded they would confirm the height of the earth and dike walls and see that the operator conforms to the lease requirements in that respect. The staff responded to the question regarding the fencing and feels the operator adequately fulfills those requirements. In regard to why permits were not acquired prior to production, the staff explained that at that time, there was not a localized office to obtain all the information regarding drilling permits. Currently, all information is localized in the Land Agents office. However, a list of procedural steps and required information was given to the operator when the leases were authorized and it is the responsibility of the leasee to follow through with those requirements.

Mayor Hall opened a public hearing for the purpose of considering the five permits.

Oliver Howard, spoke in favor of the five permits and handed to the Council a list of instructions that was given to the original leasee. He gave a brief history on development of City lands for oil drilling since 1980. He spoke to the differences in the original leases and the changes in the City Code requirements. Mr. Howard is not the leasee, however, he does have certain interests in the two leases. The original "A" lease was authorized to Jordan-McCollum in October 1981; then assigned to Keystone Oil Company in January 1982; then assigned to Desoto Operating Company April, 1983. The original "B" lease was authorized to Jordan-McCollum in March 1982; then assigned to Keystone Oil Company in March 1982; and then to DeSoto Operating Company in April, 1983.

Oliver Howard questioned why a bond is required at the rate specified of \$50,000 per permit and what that bond covers. He expressed his feeling that the current assigned leasee has fulfilled the requirements of two leases. The original lease that was authorized required a bond of \$4,000 and at some point after that,

a City Code was changed and required a \$10,000 bond. Therefore, DeSoto Operating tendered a bond for that amount. He expressed the frustrations the leasee encountered in trying to obtain a bond for \$50,000 and what kind of net worth DeSoto would have to have in order to obtain such a bond. He stated that part of the misunderstanding occurred due to the assignment of the lease changing hands so many times and the fact that the instructions issued to the leasee were not up to date with the changes in the City Code.

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

Ron Pollard, Risk Manager, responded to the questions raised by Mr. Howard. He explained in detail the difference between a surety bond, and its guarantees to secure compliance with the lease requirements, and liability insurance. The Council further discussed the issue and the availability and purchasability of such a bond. He stated that such bond is purchasable and that each insurance company has its own formula of calculation by which they write such a bond which ranges in purchase cost from insurance company to insurance company. The Mayor's Task Force on oil and gas studied and evaluated the bond requirements and established the amount of \$50,000 per well as a rule to all wells, which the Council adopted as part of the new ordinance. The five wells in question are shallow wells and the bond could be written to cover all the wells for \$50,000 if desired.

The Council again discussed the issue and conveyed to Mr. Howard the importance of not setting a precedence of waiving an insurance requirement as required by the City Code. It is written in the City Code that the Council has a provision if at any time they deem any permittee's bond to be insufficient for any reason, the Council may require the permittee to file a new bond.

Councilman Bridges moved to approve the five (5) permits for oil well drilling and require that insurance surety bond be written to describe each permit assigned to each well and that \$50,000 bond cover all five permits for both leases; and if it cannot be written in that manner than a requirement of \$20,000 per well be stipulated; and that earth and dikes be built within thirty (30) days; and that fencing of the two wells on "B" lease be completed within thirty (30) days and clearing of the oil field equipment from the "A" lease within thirty (30) days; and that there are no waivers being granted from the written requirements of the lease or any exhibits. The motion failed for lack of a second.

OIL & GAS -
5 wells Lake
Kirby "A" &
"B" lease/
FAILED

After further discussion, Councilwoman Proctor-Shaw moved to authorize the Council and City to permit these two leases and the five (5) wells; to adhere to a \$10,000 per well surety bond; to require compliance of the lease contract on fencing, dike and fire walls, and all other clauses of the lease; and this compliance to include the removal of the oil field equipment within thirty (30) days with no waivers therefrom. The motion was seconded by Councilman Nixon and the motion carried as follows:

OIL & GAS -
5 wells Lake
Kirby "A" &
"B" lease/
approved (Oral
Res.)

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

NAYS: Councilman Bridges.

Councilwoman Proctor-Shaw asked that the \$50,000 bond requirement be reviewed and explained to the Council during a workshop or at some point, in order to ensure that it is necessary and non-discriminatory.

Mike Hall, Director of Community Services, briefed the Council on three applications for Urban Park Fund Grants relating to three projects: Shotwell Athletic Complex; Nelson Softball Field; and T-Bond Winters Baseball Field and Rose Football Field. He explained the work entailed in the three projects and funding for same.

Mayor Hall left the meeting.

Mayor Pro Tempore Fogle opened a public hearing for the purpose of considering the aforementioned three grant applications and the following persons spoke in favor of the three projects. No one spoke in opposition.

IN FAVOR:

- Ed Patton, Representative of Big Country Soccer Association;
- John Hennington, President Abilene Slowpitch Softball Association;
- Mr. L. D. Lockwood, representative of Little League, Junior and Senior League Baseball;
- Randy Slaypack, representative of Pop Warner Football Association.

No one else present and desiring to be heard, Mayor Fogle closed the public hearing. The Council expressed to the Big Country Soccer Association the desire to open Lee Athletic Complex to the public and not to lock the facilities. Mr. Patton expressed an approval on behalf of the Association. Also, the Council questioned Mike Hall on any future anticipation of additional personnel in order to complete the three projects, if approved. Mr. Hall stated the work would be completed by in-kind services by present employees and that of the three projects, Shotwell Athletic Complex would have a yearly operational cost to both the City and School District of approximately \$14,221. This project will cost \$386,175 with the School District providing seventeen acres of land plus \$10,000 financial assistance. The Big Country Soccer Assoc. would contribute a maximum of \$60,000. The other projects will be completed by financing fifty (50%) through grant monies and fifty (50%) by City in-kind services.

Councilman Rodriguez moved approval of the three resolutions as presented granting permission to apply for three grants from the Parks and Wildlife Department of the State of Texas for development of park facilities. The motion was seconded by Councilman Bridges and the motion carried as follows:

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

GRANTS - apply for funds/Shotwell, Nelson, T-Bone Winters Rose Pks. appd. 109-1983 110-1983 111-1983

The resolutions are numbered consecutively 109, 110 & 111-1983 and are captioned identically as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER OF THE CITY OF ABILENE TO APPLY FOR GRANT FROM THE PARKS AND WILDLIFE DEPARTMENT OF THE STATE OF TEXAS FOR DEVELOPMENT OF PARK FACILITIES.

(\$193,087 used for development of an athletic complex containing approximately 17 acres; \$28,970 used for the construction of softball field in Nelson Park; and \$58,870 used for the renovation of a baseball field and football field in Rose Park.)

Dwayne Hargesheimer, Director of Water Utilities, briefed the Council on a schedule of utility rates and charges, as part of the Industrial Waste Ordinance as follows:

Industrial Waste Permit.....	\$25.00
Buck Creek Waste Disposal Permit.....	10.00
Buck Creek Waste Disposal Trmt Charge:	
1,000 Gallon Tank	12.50
500 Gallon Tank	6.25
less than 500 Gallon Tank	5.00

Additional Laboratory Analysis Fees as follows:

pH -----	\$ 2.00
Conductivity -----	2.00
Titrimetric & Colormetric Analysis per test	6.00
Atomic Absorption per test -----	15.00
Organic Carbon Analysis -----	15.00
Biochemical Oxygen Demand -----	8.00
Gravimetric Analysis -----	6.00
Bacteria Analysis, Coliform -----	6.00
Microscopic Analysis -----	15.00
Gas Chromatograph Analysis per test -----	35.00
Oil and Grease Analysis -----	15.00
Turbidity -----	3.00
Standard Water Analysis -----	20.00
Heavy Metal Series -----	50.00
Surcharge Re-evaluation -----	50.00

The aforementioned schedules will become effective December 1, 1983.

Councilman Nixon moved approval of fees as presented by oral resolution. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

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

NAYS: None.

UTILITIES -
amend. sch. of
fees & charges
approved
Oral Res.

Wayne Kurfees, Director of Traffic and Transportation, briefed the Council on an ordinance amending Chapter 18 of the Abilene Municipal Code, concerning downtown parking. It is requested that under the exhibit "A", Section 18-52, that the warrant fee of \$20.00 be changed to an undesignated amount at this time, and that the impounding fee be raised to \$25.00.

Mayor Hall returned to the meeting.

Councilman Fogle moved approval of the ordinance on first reading amending chapter 18 of the Abilene Municipal Code concerning downtown parking, as presented. 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.

TRAFFIC-Ord.
amend/re down-
town parking
1st read, appc

AN ORDINANCE AMENDING CHAPTER 18, "MOTOR VEHICLES AND TRAFFIC", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

Wayne Kurfees, Director of Traffic and Transportation, briefed the Council on a request to advertise for signalization of intersection at Buffalo Gap Road and Rebecca Lane at a proposed project cost of \$22,000. A traffic signal warrant investigation is done to determine the need for signalization of certain intersections, whereby a considerable amount of data is collected and analyzed. It is recommended that authorization be given to the staff to proceed with the signalization of Buffalo Gap Road and Rebecca Lane and permission from the State Department of Highways and Public Transportation has already been obtained. Monitoring will continue of all the other intersections meeting warranted conditions.

Mayor Hall acknowledged Mr. Mike Dohrse in the audience and allowed him to address the Council on this subject.

Mr. Dohrse appeared before the Council as a representative citizen and president of the south side Homeowners Association and presented a report from the Association. The Association members have been concerned with the traffic flow on Buffalo Gap, Rebecca and Gilmer for some time and after a thorough investigation and analysis on their part, recommended some alternatives to the signalization of the intersections. Mr. Dohrse has been in contact with Wayne Kurfees and reported the Association's recommendations to him, however, staff is in disagreement and concludes that Gilmer not be included into a signal sequence due to the drastic affects on the operation of the resulting intersection, and the staff sees no benefit to its inclusion. The problem location of Gilmer Street in relation to Buffalo Gap Road and Rebecca Lane is a result of a plat recorded several years ago and met the minimum ordinance requirements for spacing between intersections on a major street. The staff reviewed other options presented by Mr. Dohrse of signalizing other intersections farther south on Buffalo Gap Road of which the staff did not recommend at this time. Followed was a technical discussion involving all the options and recommendations of both the staff and the Association.

It was concluded that Wayne Kurfees meet with the south side Homeowners Association within the next few weeks and report back to the Council with the request to advertise at that time, in order to coordinate what intersection will be advertised. Therefore, no action was taken on the matter at this time.

REQ. TO ADV-
sign. Buff
Gap Rd. &
Rebecca Ln.
discussed/
action pending

Penny Boyett, Energy Coordinator, briefed the Council on the Technical Assistance Grant to conduct two studies on the City Hall building and Civic Center. She expressed that the need for the two studies is both critical and timely and therefore recommends the Council authorize a contract with ACR Energy Engineering Inc. The grant has been approved in the amount of \$23,775 by the Texas Energy and Natural Resources Advisory Council (TENRAC), which no longer exists, but grant functions have been assumed by the Public Utility Commission (PUC), which has changed the in-kind services match of the City to accept only one-third of the total project cost with in-kind services.

The staff feels the proposals gained by these studies in the past have been followed up and recommendations of the no-cost or low-cost recommendations heeded to incorporate those energy conservation measures. It is difficult to account directly the cost savings gained by the incorporation of the energy conservation measures, but records are kept as the emphasis and time allows. The Council agreed that documentation would be helpful.

Councilman Nixon raised several questions concerning the total project cost, City's in-kind match, City's cash contribution, etc. as discussed in ACR's correspondence and the letter of agreement. Staff stated that the letter of agreement will be revised and drawn on the City's contract form meeting the grant requirements and stipulating the tasks to be performed. The contract will then be brought back to the Council for action. Also, a copy of the contract proposal will be given to the Council for perusal.

ENERGY -
grant and
contract
discussion/
action
pending

The staff responded to questions regarding the match of engineering services from City employees and whether that substantial match in services would require the hiring of additional personnel. Mr. Whitehead stated the City will match the grant with services from existing personnel who are experienced in the engineering field, such as Building Inspection, Building Support personnel, etc. and all that support would be documented and submitted for acceptance. It is undertermined at this time that the documentation, which is to be submitted to PUC upon the completion of the project, will be accepted by PUC. PUC will audit the completed project and interpret qualifying in-kind services.

No action was taken on this matter at this time.

Harvey Cargill, Jr., City Attorney, briefed the Council on a resolution suspending the rate request of West Texas Utilities for an additional thirty (30) days.

Councilman Fogle moved to approve the resolution as presented. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried as follows:

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

NAYS: None.

FRANCHISE -
WTU rate
req. susp'd
add'l 30 days
112-1983

The resolution is numbered 112-1983 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
SUSPENDING THE LOCAL INCREASE AND AUTHORIZING APPEAL OF
IMPOSITION OF RATE INCREASE.

Mayor Hall convened the Council into Executive Session for the purpose of discussion contemplated litigation and appointment and evaluation of public officials, pursuant to law.

The Council reconvened from Executive Session with no action taken.

Mayor Hall presented to the Council a list of persons for appointment and reappointment to various boards and commissions. Councilwoman Proctor-Shaw moved approval of the board and commission appointments and reappointments as stipulated in Mayor Hall's memo dated November 17, 1983. 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.

BOARDS -
appts and
reappts.
to various

(See Exhibit "A" attached and incorporated as a part of these minutes.)

Councilwoman Proctor-Shaw moved to adopt a policy statement concerning the attendance and replacement of board and commission members. 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.

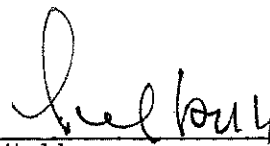
BOARDS -
attendance
and replacement
policy state.
approved

(See Exhibit "B" attached and incorporated as a part of these minutes.)

There being no further business, the meeting was adjourned at 4:30 p.m.



Patricia Patton
City Secretary



Elbert E. Hall
Mayor

EXHIBIT A

M E M O R A N D U M

November 17, 1983

TO: Members of the City Council
FROM: Elbert E. Hall, Mayor
SUBJECT: Fall 1983 Board Appointments

I am submitting for your approval the following persons for appointment and reappointment to various Boards and Commissions:

ABILENE COMMUNITY DEVELOPMENT CO., INC. DIRECTORS OF - term expiring May 1984

(14) Reappointments:

<u>Entity</u>	<u>Primary Member</u>	<u>Alternate</u>
Abilene Bank	Gary C. Yungblut	Betty Sneed
United Savings & Loan	Gene Boerner	N/A
Bank of Commerce	Wayne Cooper	Brett McCracken
InterFirst Bank Abilene	Daniel D. Lock	Don Henshaw
First National Bank	Allan R. Ash	Jim Nixon
Commodore S & L	Bonita S. Grogan	Mike L. Lisle
First State Bank	Dale Morrison	Gary Miller
Southwest S & L	Peggy Miller	Ruby Jackson
InterFirst Bank South	Rode Ammons	Clint Ferguson (James D. Rose)
Security State Bank	Kirby Leeson	Jim Cole (Jim Clifton)
City Legal Department	Harvey Cargill, Jr. City Attorney	Gary C. Landers (Karen L. Anderson)
Planning & Development	Lee Roy George Director of P & D	Tony Neitzler (Wayne Herrington)
City Manager	Ed Seegmiller	Curtis Hawk (George D. Linicomn)
City Mayor	Elbert E. Hall	

ABILENE ECONOMIC DEVELOPMENT COMPANY, INC. DIRECTORS OF - 1 year term expiring November 1984

(12) Appointments:

Robert English	Joe Castro
Joel T. Loya	Mary Island
Leon Petty	Jim Houston
Sgt. Juan Guitierrez	Don M. Neill
George Gonzales	Ada Sullivan
Manuel Hernandez	Margaret Alba

ABILENE HOSPITAL AUTHORITY - 2 year term expiring November 1985

(11) Reappointments:

Le Roy Bell	Faye Anton
Morey Millerman	Aureliano Ortiz
Mozelle Scarborough	Bill Tippen
Bobbie L. Wolfe	Dr. Joe Humphrey
Terry Hall	James E. Bailey
Dr. Carlton Hodges	

ABILENE HOUSING AUTHORITY - 2 year term expiring November 1985

(3) Reappointments:

Bob Deegan
Earl Williams
Joe Lynn Foster

ABILENE - TAYLOR COUNTY BOARD OF HEALTH - 3 year term expiring November 1986

(2) Reappointments:

Dr. Charles M. Taylor, Dental Representative
Jack North, City Layman

(1) Appoint:

W. D. (Dub) Wofford, Commissions Layman, to fill unexpired term
created by resignation of Stephen Brower. Term
expires November, 1984.

BOARD OF ADJUSTMENT - 2 year term expiring November 1985

(3) Reappointments:

Neil Fry
Jim Cosner, from alternate to full member
Thomas Dietrich, alternate

(1) Appoint:

Mrs. Richard (Sydney) Henry, alternate (Homemaker)
Mike Milano, alternate (Realtor) - term expires November 1984
Ben Benigno, alternate (Engineer) - term expires November 1984

BOARD OF BUILDING STANDARDS - 2 year term expiring November 1985

(3) Reappointments:

Wilford H. Kennon (Home Builder)
Linville Haney (General Contractor)
David Todd, alternate (Engineer)

(5) Appointments:

Chris Boyle, alternate (Home Builder)
Burl Nash, alternate (General Contractor)
Betty Blazier, from alternate to full member (Social Worker)
Dan D. Cooper, alternate (Social Worker)
Billy C. Earles, full member (Realtor) to fill unexpired term created
by resignation of Peg Cooke, full member
(Realtor). Term expires November 1984.

BOARD OF ELECTRICAL EXAMINERS - 2 year term expiring November 1985

(3) Reappointments:

Lloyd Turner (Electrical Engineer)
Jon Irwin (Home Builder)
Carl W. Sisk (Architect)

BOARD OF MECHANICAL APPEALS - ²/₁ year term expiring November 1984⁵

(2) Reappointments:

Nelson Perry (Mechanical Engineer)
Jerry Johnson (Electrical Contractor)

CITIZENS ENERGY COUNCIL - 1 year term expiring 1984

(12) Reappointments:

- (Citizens) Ron Haney, Jr.
Carlisle Williams
Charles Nelson
Virgil Bottom
Richard Smith
Peggy Thompson
- (Categorical) Marthe Harman, Lone Star Gas
William Baxter, W.T.U.
Floyd Ball, Dyess A.F.B.
Wiley Dugger, H.S.U.
Ben Pilcher, McMurry
Dr. York Clamann, A.I.S.D.

(2) Appointments:

Mrs. H.C. (Lanita) Zachary, citizen member
Judy Reeves, A.C.U. representative

CIVIL SERVICE COMMISSION - 3 year term expiring November 1986

(1) Reappointment:

Hal Pender

COMMUNITY DEVELOPMENT COMMITTEE - 2 year term expiring November 1985

(2) Reappointments:

Andrew Penns
Beatrice Walker

(5) Appointments:

J.L. (James) Cole
Mrs. Dorothy Newman
R. Gene Smith
Ms. Joann Peterson, term expires November 1984.
Baldemar Guitierrez, to fill unexpired term of Mrs. Elmer Wright.
Term expires November 1984.

LIBRARY BOARD - 2 year term expiring November 1985

(2) Reappointments:

William D. Minter, Chairman
Maggie Morford

(1) Appointments:

Yvonne Stackhouse, to fill unexpired term created by resignation of
Elaine Ferguson. Term expires November, 1984.

LANDMARKS COMMISSION - staggered terms

(7) Chairman Planning & Zoning Commission - 1 year term

Preservation League:
Martha McDaniel - 3 year term

Historical Commission:
Denny McFarland - 3 year term

Licensed Attorney:
Guy Shaw - 2 year term

Licensed Architect:
Woodlief Brown - 2 year term

Board of Realtors Rep:
Mary Rugh Leftwich - 1 year term

Construction Industry Rep:
Bruce Bixby - 1 year term

(4) At Large:

Mr. Truett Roberts - 2 year term
Tim McClosky - 3 year term
Mrs. Elmer (Billye) Wright - 2 year term
Dr. Fane Downs - 3 year term

(3) Alternates:

1. Eddie Harrison - 1 year term
2. Walter Hofheinz - 2 year term
3. Mary Helen Seibt-Arrington - 3 year term

MH-MR PUBLIC RESPONSIBILITY COMMITTEE - 1 year term expiring November 1984

(7) Reappointments:

Phillip Wetherbee
Lee Nell Gann
Lynne Ybarra
Evelyn Watson
Wanda Kirkpatrick
James Quattlebaum, First Lt.
Dr. Paul Jungmeyer

PLANNING AND ZONING COMMISSION - 3 year term expiring November 1986

- (1) Reappointment: Charles F. Walts
- (2) Appointments: Bill Billingsley
Evelyn Niblo

PLUMBING APPEALS & ADVISORY BOARD - 2 year term expiring November 1985

(2) Reappointments:

Alton Tatum (Journeyman Plumber)
Grady Cozby, Jr. (Architect)

REINVESTMENT ZONE NUMBER ONE, DIRECTORS OF (Tax Increment)

(1) Reappoint as Chairman for one year:

Raymond McDaniel, Jr.

In the past, the City Council has created a variety of boards and commissions to accomplish specific goals. The Council wishes to express its appreciation to the members who have served those boards. At this time three particular boards have completed their mission and have not been active for some time. There is no further need to reappoint members to these boards, therefore, the following three boards are hereby disbanded:

1. Abilene - Taylor - Jones - Callahan Counties Joint Airport Zoning Board.
2. Environmental Goals Committee.
3. City of Abilene Advisory Committee.

EEH:pp

EXHIBIT B

REPLACEMENT OF BOARD AND
COMMISSION MEMBERS

OBJECTIVE:

To define "excused" and "unexcused" absences; to designate the responsible party of the respective board for monitoring absences; to establish procedures for recording absences, agenda and minutes of the respective board.

RESPONSIBLE AGENCY:

City Secretary, and City Manager's representative.

SERVICE/POLICY:

An "excused" absence is defined as: being out-of-town for business reasons, illness or emergency (death in the family, hospitalization).

Any other absence would be considered "unexcused".

The following number of absences may constitute the need for replacement of the member: three consecutive unexcused absences, or, attendance reflecting unexcused absences constituting 50% of the meetings over a 12-month period from date of appointment.

In the event replacement is indicated, the individual member will be counseled by the Board chairman, and subsequently report in writing to the City Secretary the need to replace the board member in question.

Agenda and Minutes of each meeting shall be filed promptly with the City Secretary. The attendance of the entire board shall be recorded by the City Secretary or her designee.

The above information shall be subject to the rules and regulations of the Open Records Act.

AUTHORITY:

City Council

DATE ISSUED: November 17, 1983