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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
APPROVING THE SANITARY LANDFILL METHOD FOR THE CITY'S SOLID
WASTE DISPOSAL AND DIRECTING THE SAID LANDFILL OPERATION TO BE
CONDUCTED IN ACCORDANCE WITH THE STATE DEPARTMENT OF HEALTH
REGULATIONS.

WHEREAS, state law prohibits the City of Abilene from burning its solid waste and requires the City to utilize other approved methods to dispose of the City's solid waste; and

WHEREAS, the City Council has the duty and responsibility to determine the method that the City will use in disposing of its solid waste and under Article 1175, Paragraph 28, the City is given the power to provide for a health department and the establishment of rules and regulations protecting the health of the City. Paragraph 34 of the same article, the City is given the power to enforce all Ordinances necessary to protect health, life and property and prevent and summarily abate and remove all nuisances and to preserve and enforce the good government, order and security of the City and its inhabitants; and

WHEREAS, the City Council has visited and studied other landfill operations operated by other cities and have consulted with geologists, engineers and other experts in the use and operation of sanitary landfills and have concluded that the landfill method would be the most practical and economical method for the City of Abilene to use in disposing of its solid waste; and

WHEREAS, the City Council has selected a site to be used for the City's sanitary landfill and said site has been inspected and approved by the Water Quality Board and the State Health Department for landfill purposes and was also chosen for the following reasons:

1. The landfill site is located near State Highway 83 which will make the site readily accessible to the City trucks and to those who haul refuse to the site.
2. The area in which the site is located is sparsely populated and is mostly commercial property and will become more commercialized in the near future.
3. The site is located on submarginal land and is therefore less expensive to lease.

4. The operation of a landfill site on this property will improve and level the land.

5. The site will provide the City of Abilene with adequate space to dispose of its solid waste for seven (7) to ten (10) years.

6. There are no schools in the area which will be affected by the truck traffic to the landfill site.

7. The entrance and exit of the landfill is not adjacent to any residential area and there will not be any truck traffic through such areas.

WHEREAS, fourteen (14) wells have been drilled around and on the landfill site and the results of said wells have been studied by a geologist who has prepared maps on the ground water level to aid the City in the operation of the landfill site and as an added safeguard, the wells will be monitored regularly for signs of pollution by the landfill; and

WHEREAS, the City Council has been informed by the State Department of Health that certain requirement should be followed in operating a sanitary landfill; and

WHEREAS, the City Council is of the opinion the City's sanitary landfill operation must be done in accordance with the State Department of Health requirements as set out in letters dated August 8, 1969, and November 17, 1969, attached hereto as Exhibit "A" and "B"; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS:

PART 1: That the City Council approves the State Department of Health's requirements for the operation of the City's landfill and hereby directs that the City and its employees shall operate the sanitary landfill in accordance with the State Health Department's requirements as follows:

1. Adequate roads must be provided to facilitate entrance to and from the site in inclement weather.
2. No salvaging must be permitted.

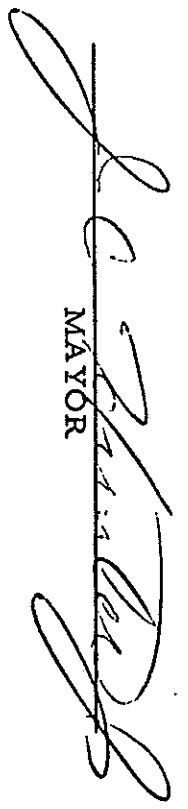
3. Since the operation will be the responsibility of the city, the city must maintain complete control over the site, hours open, charges, number of personnel, equipment, etc.
4. The city must guarantee to properly compact and cover the solid waste daily with adequate earth cover.
5. Open burning of wastes in prohibited at sanitary landfill sites by definition and by State requirements.
6. Lightweight materials such as paper and thin plastics must be controlled on site to prevent wind carriage off the premises.
7. Care should be taken to eliminate surface and ground water pollution.
8. An attendant should be on duty at all hours of operation to direct unloading of refuse.
9. A special area should be designated for the deposition of hazardous material.
10. The site should also have water available for fire prevention.
11. A water truck may be needed for the control of dust.
12. That Elm Creek be straightened through the property and banks of adequate height be provided to maintain the flow of water in Elm Creek.
13. That a dike presently planned for a 7-ft. height be constructed around the sanitary landfill property to prevent the entry of floodwater into the area.
14. That only household garbage, brush and construction debris be disposed of at the site, with septic tank cleanings disposed of into the sanitary sewerage system and that such items as dead animals, paunch manure from slaughter houses, spoiled grain and feed and other similar items be disposed of separately from other refuse by immediate burial at the old municipal garbage disposal area.
15. The landfill excavation will not extend into the normally saturated groundwater area, but will be limited to approximately no closer than three feet vertical depth to a saturated strata.

16. The city will carry out a monitoring program including periodic tests of water quality from wells in the general disposal area.

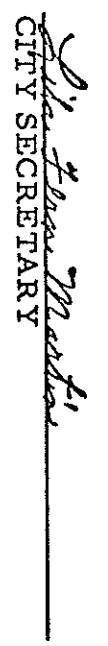
17. The pond to be maintained on the premises should be "clay plated" to reduce seepage of impounded water unless it can be shown that the water in the pond is of satisfactory quality.

PART 2: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 18th day of December, A. D., 1969.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED:


CITY ATTORNEY