

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 14th day of November 2017, the Amarillo City Council met at 3:00 p.m. for a work session, and the regular session was held at 5:00 p.m. in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON  
ELAINE HAYS  
FREDA POWELL  
EDDY SAUER  
HOWARD SMITH

MAYOR  
COUNCILMEMBER NO. 1  
COUNCILMEMBER NO. 2  
COUNCILMEMBER NO. 3  
COUNCILMEMBER NO. 4

Absent were none. Also in attendance were the following administrative officials:

JARED H. MILLER  
MICHELLE BONNER  
BRYAN MCWILLIAMS  
ANDREW FREEMAN  
FRANCES HIBBS

CITY MANAGER  
DEPUTY CITY MANAGER  
DEPUTY CITY ATTORNEY  
ECONOMIC DEVELOPMENT MGR.  
CITY SECRETARY

The invocation was given by Davlyn Duesterhaus, BSA Staff Chaplain. Mayor Nelson led the audience in the Pledge of Allegiance.

Proclamation were given for "Small Business Saturday" and "National Philanthropy Day."

Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

**PUBLIC COMMENT:**

Bobby Lee, Big Texan, 7701 I-40 East, stated he supports the proposed Environmental Health ordinance regarding restaurants being pet friendly. Allen Finegold, 2601 North Grand Street, spoke on the water rates and the wastewater study the city received from the consultant. He stated the study was not adequate and lacked historic perspectives. Kip Billups stated the Amarillo Brown Bag Runs has fed over 92,000 meals in the past 15-16 months. He further stated that due to the recent shut down of tent city at the Ice House, Amanda Hunter, Christ Church Camp of New Beginnings, has found a location for a tent city. Mr. Miler stated he met today with city departments but they cannot turn an eye if there are code violations. He inquired how they could help with basic minimum standards to comply with safety standards and to make sure they have every chance to be successful. There were no further comments.

Mayor Nelson announced that the next City Council meeting would be November 28.

**ITEM 1:** Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approval the consent agenda, seconded by Councilmember Hays.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

A. **MINUTES:**

Approval of the City Council minutes of the regular meeting held on November 7, 2017.

- B. ORDINANCE NO. 7686:**  
 (Contact: AJ Fawver, Planning and Zoning Director)  
 This is the second and final reading to consider amending the Planned Development District 386 (PD-386), by modifying specific screening requirements, for Lots 5A and a portion of Lot 5B, Block 8, Sunrise Addition Unit No. 4, and Lots 3, 4, and the west 38 feet of Lot 2, Block 8, Sunrise Addition Unit No. 2, in Section 123, Block 2, AB&M Survey, Potter County, Texas. (Vicinity: Carter Street and I-40 East Frontage Road.)
- C. AWARD – HEXAGON SAFETY AND INFRASTRUCTURE COMPUTER-AIDED DISPATCH (CAD) MAINTENANCE:**  
 (Contact: Lt. Shannon Kuster, AECC)  
 Awarded to Intergraph Corporation - \$162,984.00  
 This item recommends award of the annual contract for the purchase of maintenance for the Hexagon CAD system at AECC.
- D. AWARD – WEBRMS HARDWARE & SOFTWARE LICENSING:**  
 (Contact: Rich Gagnon, IT Director)  
 Dell EMC – \$212,266.02  
 This purchase will provide servers and data storage to migrate i/Leads to WebRMS. This is the records management software for the police department.
- E. APPROVAL – INTERLOCAL AGREEMENT WITH POTTER COUNTY:**  
 (Contact: Ed Drain, Chief of Police)  
 This item approves an Interlocal Agreement between the City of Amarillo and Potter County to file a joint grant application with the Automobile Burglary Theft Prevention Authority of Texas in the amount of \$361,705 to support the Panhandle Auto Burglary Theft Unit (PABTU).
- F. APPROVAL -- CONSIDER APPROVAL FOR THE PURCHASE OF REPLACEMENT ENGINES FOR TRANSIT BUSES:**  
 (Contact: Marita Wellage-Reiley, Transit Director)  
 WS Truck Repair -- \$105,809.30  
 Amarillo City Transit is requesting approval for the purchase and installation of 5 diesel engines to replace 5 expired engines in existing City buses. The replacement will extend the useful service life of the buses an additional five years or 100,000 miles. The bid is awarded to WS Truck Repair in the amount of \$105,809.30 as the sole responsive bidder.
- G. APPROVAL -- CHANGE ORDER NO. 4: FOR THE 2016/2017 MILLING AND OVERLAY OF VARIOUS STREETS IN THE AMOUNT OF \$8,431.50:**  
 (Contact: Floyd Hartman, CP&DE Director)
- |                         |                   |
|-------------------------|-------------------|
| Original Contract:      | \$1,429,471.05    |
| Previous Change Orders: | \$347,087.40      |
| Current Change Order:   | <u>\$8,431.50</u> |
| Revised Contract Total: | \$1,784,989.95    |
- This item is to approve Change Order No. 4 which is a final unit adjustment for installed quantities on the project.

## **REGULAR AGENDA**

**ITEM 2:** Mr. Miller presented the options for providing commemorative recognition of Officer Justin Scherlen. Mr. Miller recapped the request presented by Officer Roper for recognition of Officer Justin Scherlen's service. Mr. Scherlen stated they were 100% behind with whatever the Council chose to do. Councilmember Hays restated previous conversations, and suggested perhaps a commemorative sign addition until a memorial on a larger scale could be accomplished. Motion was made by Councilmember Sauer to place a commemorative street sign on Meadow Drive and also pursue the ideas of a permanent memorial, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 3.** Mayor Nelson presented the first reading of an ordinance considering providing a variance to distance regulations prohibiting the sale of alcoholic beverages within 300 feet of a public school. The City Council, as the governing board of the City of Amarillo, Texas, and pursuant to Section 109.33(e) of the Texas Alcoholic Beverage Code, may grant a variance to Section 14-3-5 of the City of Amarillo Municipal Code (enacted pursuant to Section 109.33(a)(1) of the Texas Alcoholic Beverage Code) for off-premise consumption at the following location: Block 1, Westhaven Park, Unit 1, Section 227, Block 2, AB&M Survey, Randall County, Texas. This item was presented by Kevin Starbuck, Assistant City Manager. Motion was made by Councilmember Sauer, seconded by Councilmember Smith, that the following captioned ordinance be passed:

**ORDINANCE NO. 7687**

**AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS PROVIDING FOR A VARIANCE TO DISTANCE REGULATIONS PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES WITHIN 300 FEET OF A PUBLIC SCHOOL; PROVIDING FOR SEVERABILITY, REPEALER, CONTINUATION OF PRIOR LAW, AND EFFECTIVE DATE.**

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 4.** Mayor Nelson presented the first reading of an ordinance amending Article IV, Chapter 8-3, Section 8-3-82 and Section 8-3-94; Article V, Chapter 8-3, Section 8-3-116 and adding Section 8-3-134; to provide for disposal of tires; providing for regulation of tire businesses. This item was presented by David Lehfeltd, Solid Waste Superintendent. Motion was made by Councilmember Hays, seconded by Councilmember Powell, that the following captioned ordinance be passed:

**ORDINANCE NO. 7688**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, AMENDING CHAPTER 8-3, ARTICLE IV, SECTION 8-3-82; SECTION 8-3-94; AND ARTICLE V, SECTION 8-3-116; AND ADDING SECTION 8-3-134 TO PROVIDE REGULATION OF TIRE BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.**

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 5:** Mayor Nelson presented a resolution adopting adoption of the City of Amarillo, Design Manual for the Installation of Network Nodes and Node Support Poles Pursuant to Tex. Loc. Gov. Code, Chapter 284. This item was presented by Floyd Hartman, CP&DE Director. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned resolution be passed:

**RESOLUTION NO. 11-14-17-2**

**AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO ADOPTING THE DESIGN MANUAL FOR WIRELESS FACILITIES; PROVIDING FOR AN EFFECTIVE DATE.**

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

**ITEM 6:** Mayor Nelson presented the first reading of an ordinance to consider an Ordinance to amend Chapter 4-6, Article I, Section 4-6-3 and Article V, Section 4-6-206 of the Amarillo Municipal Code. This Ordinance is to provide specific requirements for design, collection of fees, procedures for the issuance of permits and penalties for the installation of wireless facilities. This item was presented by Floyd Hartman, CP&DE Director. Mayor Nelson opened the public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Hays, seconded by Councilmember Powell, that the following captioned ordinance be passed:

**ORDINANCE NO. 7689**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING CHAPTER 4-6, ARTICLE I, SECTION 4-6-3 PROVIDING FOR THE COLLECTION OF FEES FOR WIRELESS**

FACILITIES AND AMENDING ARTICLE V, SECTION 4-6-206, PERTAINING TO PROCEDURES FOR ISSUANCE OF PERMITS FOR WIRELESS FACILITIES AND ADDING SPECIFIC REQUIREMENTS FOR THE SAME; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER; PROVIDING A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 7: Mayor Nelson presented the second and final reading of an ordinance consider rezoning of a 21.95 acres tract of land in Section 40, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agriculture District (A) to Heavy Commercial District (HC) and General Retail District (GR). (Vicinity: Interstate Highway 27 and Thunder Road.) This item was presented by AJ Fawver, Planning and Zoning Director. Motion was made by Councilmember Smith, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7685

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING MAP OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF INTERSTATE HIGHWAY 27 AND THUNDER ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 8 Mayor Nelson presented an item considering the acceptance of a letter of resignation from the Honorable Sonya Letson, Presiding Judge of the Amarillo Municipal Court, effective December 31, 2017. Ms. Letson stated she was grateful for the support. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that this item be approved.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.


Work Session Item A(2) was presented at this time:

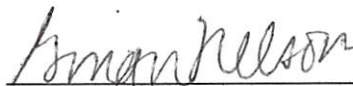
Raymond Lee provided an update on the alley clean-up program, illegal dumping and proposed changes.

ITEM 9: Mayor Nelson stated this item was to consider action to authorize the City Manager to employ the most effective and efficient procurement and delivery method to construct the Multi-Purpose Event Venue. Mr. Miller stated that the City is evaluating other delivery methods that would provide cost-efficiencies needed and reviewed that a design, bid, build method might provide an alternative solution. Councilmember Hays asked if the trade-off would allow the City to have more control. Mr. Miller replied the City would take the risk if the City uses a different delivery method. Motion was made by Councilmember Sauer, seconded by Councilmember Powell, to allow the City Manager to consider other delivery methods.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell, Sauer and Smith; voting NO were none; the motion carried by a 5:0 vote of the Council.

ATTEST:

  
 Frances Hibbs, City Secretary

  
 Ginger Nelson, Mayor