

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 24th day of April 2018, the Amarillo City Council met at 3:30 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 MILLER  
MICHELLE BONNER  
BRYAN MCWILLIAMS  
ANDREW FREEMAN  
FRANCES HIBBS

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

The invocation was given by Camden Car. Iven Cary led the audience in the Pledge of Allegiance.

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

**PUBLIC COMMENT:**

Claudette Smith, 4410 Van Kriston Drive, spoke on campaign videos on Facebook. She stated the approval of the MPEV was illegal and was not a Type A program. She further stated she will file an injunction to halt the progress. Mr. Miller responded that the cost of the MPEV is \$45.5 million. Councilmember Hays inquired if legal counsel could provide additional information to Council, and receive a copy of the two legal opinions requested by the previous Council. Mike Fisher, 4410 Van Kriston Drive, stated the City Attorney saw the writing on the wall and resigned. Mr. Fisher also inquired if he would still be representing the Council. He further stated the ballpark was the most expensive ballpark ever built. Addie Walsh, 5816 Syracuse Drive, spoke about the satire Facebook page. She asked the Council to continue to move forward and asked Council to remember who they represent. She further stated she has an online petition asking for the resignation of Mayor Nelson. Robert Goodrich, 4111 Stony Point, asked that the Council consider appointing a five-member or seven-member citizen advisory committee to formulate a plan for Council on how to handle public comments from citizens. He suggested those members be those who have appeared before Council in the past. Julie Hunt, 2500 South Polk Street, stated she was disappointed in Council's lack of compassion. She stated there are many gaps, lack of willingness to hear the other side and work with them.

Jill Thurman, 1609 South Polk Street, stated Mayor Nelson has publically called for compromise but in private meetings with the homeless advocates they have been met with ridged disconnect, refuted that this unconstitutional anti-camping ordinance will stand and they are using it to target the homelessness. Amanda Hunter, 4849 Mesquite Springs Trail, stated that Church Christ Camp was in compliance with the City's Environmental Health. Though the Camp has been disbanded their efforts have not. They continue to move forward with tiny homes and garden. Tents are not the answer, but as long as people choose tents instead of cars. She asked that Christ Church Camp have the reprieve they have asked for. She asked that they come together as one and make a fruitful solution in how we care for our homeless. Yvonne Chavez, 4116 South Lipscomb Street, spoke on the need for a softball complex. She stated softball tournaments are held at the Southwest Complex She further stated there are no doors on the bathroom stalls and no concession stand. Mr. Miller replied that the MPEV is

being paid with the hotel/motel tax. Mayor Nelson inquired if the HOT tax could be spent on a softball complex. Steven W. Pair, 7811 Legacy Parkway, stated he was impressed with the public comment period but stated they must be done respectfully. He further stated the MPEV was a great example of a good healthy city working together on a true key to success. He encouraged Council to stay the course.

Kit Rudd, 6850 Grande Street, stated it was time for the homeless advocates and Council to meet with open hearts, open mind and to put differences aside. He further stated all the time and energy can be used to help with the homeless and to come up with some solutions. Mayor Nelson inquired about meetings held with the homeless activist. Mr. Miller replied there have been numerous meetings. Mr. Miller stated the hotel/motel tax cannot currently be used but they could approach the legislation to have it changed. Councilmember Hays asked for clarification of recommendations and a report from the Continuum of Care and when they were presented to Council. Mr. Miller stated there has been a lot of interaction with the Continuum of Care. Did not speak: Rusty Tomlinson, 5700 Canyon Drive. Signed up but did not speak: James Schenck, 6216 Gainsborough Road and Jeffrey C. Malone, 201 South Tyler Street. There were no further comments.

**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 and special meeting held on April 24, 2018.

B. **ORDINANCE NO. 7728:**

(Contact: AJ Fawver, Planning and Zoning Director)

This the second and final reading of an ordinance rezoning of Lot 7, Block 38, Lawrence Park Unit No. 69, in Section 227, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from General Retail (GR) to General Retail with Specific Use Permit 191 (GR/S-191) for on-premise alcohol sales and service. (Vicinity: Olsen Boulevard and Lometa Drive.)

C. **ORDINANCE NO. 7729:**

(Contact: AJ Fawver, Planning and Zoning Director)

This is the second and final reading of an ordinance rezoning Lot 1J, Block 25, Sleepy Hollow Unit No. 95, in Section 41, Block 9, BS&F Survey, Randall County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from General Retail District (GR) to General Retail District with Specific Use Permit 192 (GR/S-192) for on-premise primary use alcohol sales and service.

D. **CONSIDER APPROVAL OF THE COMMUNICATIONS SYSTEM AGREEMENT WITH NORTHWEST TEXAS HEALTHCARE SYSTEM:**

(Contact: Kevin Starbuck, Assistant City Manager)

This agreement will authorize Northwest Texas Healthcare System to operate on the City of Amarillo NEXGEN Radio Communications System with applicable infrastructure support fees assessed per the agreement.

E. **CONSIDER PURCHASE OF HEAVY EQUIPMENT (DITCHERS, LOADERS, AIR COMPRESSORS, AND TRACTORS):**

(Contact: Glenn Lavender, Fleet Services Superintendent)

Award to listed local vendors:

Associated Supply Co.	Lines 3,6,8,9,11	\$402,759.00
Ditch Witch of West Texas	Lines 1,12	\$213,800.52
Clark Equipment Co.	Line 7	\$71,371.44
Total Award		\$687,930.96

Scheduled replacements, additions of Fleet Equipment. Equipment has reached or exceeded useable life cycle. Equipment will be used by the

following divisions, Street, Parks Maintenance, Surface Water Treatment, Waste Water Collection, Comanche Trail, and Ross Rogers Golf. Equipment will be used for daily operational requirements.

- F. **CONSIDER PURCHASE OF ASPHALT ZIPPER MILLING MACHINE:**  
 (Contact: Glenn Lavender, Fleet Services Superintendent)  
 Award to best evaluated vendor: Asphalt Zipper, Inc. -- \$100,480.00  
 This equipment will be used by the Street Division for daily operational requirements. The vendor offered trade-in option with bid. Original bid \$126,480.00, trade-in offered \$26,000.00.
- G. **AWARD – PURCHASE OF NEW LIGHTS AND POLES FOR DOWNTOWN PROJECTS:**  
 (Contact: Trent Davis, Purchasing Agent)  
 Awarded to: Techline, Inc. -- \$108,782.40  
 This award is to approve the purchase of Downtown lights and poles.
- H. **AWARD – PURCHASE OF E-BUILDER PROJECT MANAGEMENT SOFTWARE FOR CAPITAL PROJECTS AND DEVELOPMENT (CP&D) ENGINEERING DEPARTMENT:**  
 (Contact: Floyd Hartman, Assistant City Manager)  
 This software will facilitate contract management of capital and development projects, improve project execution, increase productivity, reduced costs, and speed up project delivery.

### **REGULAR AGENDA**

ITEM 2: Mr. Danforth presented an update on the MPEV Construction site. He stated they have begun the 40,000 capacity pumping valve, pouring concrete and laying footings. He further stated the construction has not slowed down. Mr. Danforth stated the team is engaged with the City.


ITEM 3: Mayor Nelson presented the second and final reading rezoning of Lot 22B, Block 23, Glendale Addition Unit No. 26, in Section 5, Block 9, BS&F Survey, Randall County, Texas plus one-half of all bounding streets, alleys, and public ways to change from General Retail District (GR) to General Retail District with Specific Use Permit 193 (GR/S-193) for a Shooting Range, Indoor. (Vicinity: Bell Street and Hillside Road.) This item was presented by AJ Fawver, Planning Director. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

#### ORDINANCE NO. 7727

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 SOUTH BELL STREET AND HILLSIDE 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 and Smith; voting NO were none; Councilmember Sauer removed himself from the room and did not participate on this item; the motion carried by a 4:0 vote of the Council. Councilmember Sauer abstained.

ATTEST:

  
 Frances Hibbs, City Secretary

  
 Ginger Nelson, Mayor