

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 26th day of June 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
STEPHANIE COGGINS
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
INTERIM CITY ATTORNEY
ASSISTANT TO THE CITY MANAGER
CITY SECRETARY

The invocation was given by Bryan Houser. Councilmember Powell led 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:

Proclamations were presented for "Haven Health Clinic's 50th Anniversary," and "Amarillo's Route 66 Celebration Day."

Mayor Nelson announced there would not be a City Council meeting on Tuesday, July 3. She also stated she and Councilmember Hays would be attending a conference on Tuesday, July 10, 2018.

Mr. Miller introduced new City employees: Michael Kashuba, Parks and Recreation Director and Juliana Kitten, Community Development Director.

PUBLIC COMMENT:

Claudette Smith, 4410 Van Kriston Drive, stated Council has increased fees and are discussing future fee increases. She further spoke on the cancellation of the Tri-State Fair Parade. She inquired as to the costs of the Route 66 Celebration. She further stated there have been several distractions including the naming of the ballpark. Mike Fisher, 4410 Van Kriston Drive, spoke on the City's Barrio Neighborhood Plan. He stated the word 'Barrio' was a racists term. He inquired why the Route 66 Celebration was not on Route 66, and not on the 4th of July. He also offered to pay for the security for the Tri-State Fair Parade. Mr. Miller replied that the cancellation of the Tri-State Fair Parade was not a City decision. The Tri-State Fair Board of Directors made that decision. He stated the Tri-State Fair Board was informed last year of the charges and other costs associated with the parade. He further stated he found out this morning that the parade was cancelled. There have been a number of people that have offered to pay for the costs. Mayor Nelson inquired when the parade policy change was made. Mr. Miller stated the Tri-State Fair Board was informed at the last parade in 2017. Mayor Nelson inquired if this saved taxpayers money. Mr. Miller replied that 94 permits were issued for parades last year. The savings costs would be approximately \$500,000. Councilmember Hays inquired when the budget meetings were going to be held to remind the citizens, and they are open to the public. Ms. Bonner replied the budget workshop days were August 6-9. Noah Dawson, 1133 Sugarloaf Drive, stated he was disappointed with the trash pickup and the Council's representation of the people. Mayor Nelson inquired as to the number of parade permits last year. Mr. Miller stated there were 94 events last year although not all events require the same scale of services.

Mayor Nelson inquired if the City of Canyon used trash carts. Mr. Hartman replied the City of Canyon has been using the cart system since the 1990s. Mr. Hartman reiterated that three areas have been identified for the use of carts, front yard pickup, hand pickup and alleys where there are safety concerns. Dacia Anderson, 5227 Astoria Street, presented Council with a handout. She stated during a previous Council work session they discussed moral ownership and the best way to effectively represent the community. She stated she had emailed everyone on Council and did not receive any responses. She stated she would like to request a town hall meeting to discuss AM&W policies. Councilmember Hays inquired about recent AM&W town hall meetings. Mr. Miller stated they discussed the breeder's ordinance but covered a number of other topics. Addie Walsh, 5816 Syracuse Drive, stated there are a lot of people upset about a lot of different things, and for different reasons. She stated focusing on negativity is exhausting. She stated it was important that the community come together. She also stated she was disappointed that the Council was not present at the recent Pride event and suggested more community involvement from the City Council. Kit Rudd, 6850 Grande Street, spoke on the MPEV and the proposed Sod Puddle name, and the cancellation of the Tri-State Fair Parade. Edith DiTommaso, 1613 Bowie Street, #B, spoke on the handicap ramp coming into City Hall, and the metal rails being hot to touch. Signed up but did not appear: Janet Reed, 8390 Cliffside Road. 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 approve Item 1A separately. She motioned to approve consent Items 1B-1F, 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.

Motion was made by Councilmember Smith to approve Item 1A, the minutes of June 19, 2018, as amended, seconded by Councilmember Sauer.

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 June 19, 2018.

B. **ORDINANCE NO. 7740:**

(Contact: Sherry Bailey, Senior Planner)

This is the second and final reading of an ordinance rezoning Lots 39-46, Block 476, Mirror Addition Unit 1, in Section 155, Block 2, AB&M Survey, Potter County, Texas plus one-half of all bounding streets, alleys, and public ways to amended Planned Development District -107 to allow offsite parking from R-3 to Planned Development 107 (PD-107) for Wesley Community Center (Vicinity: between Roberts Street and Williams Street and Southeast 15th Avenue and Southeast 16th Avenue.)

C. **ORDINANCE NO. 7741:**

(Contact: Sherry Bailey, Senior Planner)

This is the second and final reading of an ordinance determining the lack of Public Necessity for a 20-foot alley in the vicinity of South Vernon Street, South Spring Street, Southeast 17th Avenue and Interstate 40. Vacating and abandoning the described right-of-way.

D. **AWARD – PURCHASE OF NEW LIGHTS AND POLES FOR DOWNTOWN PROJECTS:**

Awarded to Techline, Inc. – \$70,324.25

(Contact: Trent Davis, Purchasing Agent)

This item purchases new lights and poles for downtown projects.

- E. **CONSIDER – APPROVAL OF MOTOR FUEL ANNUAL CONTRACT:**
Award to: Global Montello Group Corp. based from Best Evaluated bid awarded as one lot.
(Contact: Glenn Lavender, Fleet Services Superintendent)
This item is for the motor fuel annual contract. 850,000.00 gallons-ULSD Grade 2-D-Diesel and 700,000 gallons of Unleaded Motor Fuel used by all City of Amarillo Fleet vehicles. Contract is for one (1) year with two (2) renewals based on purchasing policies and procedures. Pricing for contract is based off OPIS (Oil Price Information Service) daily rack average for Amarillo Area. Motor Fuel Contract will be awarded with discounted OPIS pricing of -.0285pg Diesel and -.0150pg Unleaded.
- F. **CONSIDER -- APPROVAL OF THE LEASE AGREEMENT BETWEEN THE CITY OF AMARILLO AND TRUMAN ARNOLD COMPANIES (TAC AIR):**
(Contact: Michael W. Conner, Director of Aviation)
This item is a replacement lease agreement for TAC Air to continue to operate the Fixed Base Operator (FBO) at the Rick Husband Amarillo International Airport until December 31, 2049. Included in this lease is the requirement for TAC Air to construct a new executive terminal building with a value of at least \$1 million dollars; and the option to extend the lease for an additional 15 years if TAC Air invests an additional \$1.5 million over the term of the agreement. The lease also outlines the requirements for TAC Air to operate the FBO, details the rates and charges they are able to charge customers, and sets forth a new payment rate schedule.

REGULAR AGENDA

ITEM 2: Mr. Danforth presented an update on the MPEV Construction site. Mr. Danforth stated the negotiations with the contractors are just about complete. Mr. Miller stated he appreciated Western Builders and Hunt Construction working so hard to bring the numbers down. He also thanked Mr. Danforth in representing the City. Mr. Danforth stated 80% of the contractors are local. He presented a slide presentation on the progress of the MPEV. He further stated the structural steel will show up July 5 along with cranes.

ITEM 3: Mayor Nelson presented the first reading of an ordinance establishing the commercial ground transportation fee at the Rick Husband Amarillo International Airport at the \$1.00 per trip level. Pursuant to City of Amarillo Ordinance No. 7712, which gives the City the right and authority to impose fees upon all commercial ground transportation companies operating at the Rick Husband Amarillo International Airport, and which requires the City Council to approve the fees charged to commercial ground transportation operators, it is recommended that the City Council approve a commercial ground transportation fee of \$1.00 per trip level. This fee has become the industry standard commercial ground transportation fee for airports of similar size and will apply to off-airport hotel shuttle bus operators, off-airport rental car shuttle bus operators, taxi cab operators, limousine company operators, and transportation network company operators. This item was presented by Michael Conner, Airport Director. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned ordinance be passed:

ORDINANCE NO. 7743

AN ORDINANCE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 16-2, ARTICLE IV, AMENDING SECTION 16-2-69; SETTING FEES FOR COMMERCIAL GROUND TRANSPORTATION COMPANIES OPERATING ON THE RICK HUSBAND AMARILLO INTERNATIONAL AIRPORT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A 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 4: Mayor Nelson presented the second and final reading of an ordinance proposing changes to Ordinance No. 7323, which will change the billing process. Currently the Ordinance allows the drainage bill to be designated to the tenant of either a commercial or residential rental property. The proposed changes will make the drainage fee the responsibility of the owner of the benefitted property. This item was presented by Damen Ratliff, Drainage Utility Supervisor. Councilmember Hays inquired if there were any inquires after the first reading of this ordinance. Mr. Ratliff replied they did not receive very many phone calls, but the ones they received were basically supportive. Mr. Miller stated there may be a lag in a few leases. Motion was made by Councilmember Powell, seconded by Councilmember Sauer, that the following captioned ordinance be passed:

ORDINANCE NO. 7738

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS, AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 18-4, TO REVISE CERTAIN DEFINED TERMS AND TO PROVIDE THAT OWNERS OF PROPERTY ARE RESPONSIBLE FOR PAYING DRAINAGE UTILITY CHARGES FOR THEIR PROPERTIES; CORRECTING NUMBERING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; 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 5: Mayor Nelson presented the second and final reading of an ordinance rezoning Lot 3A, Block 1, Sunset Addition Unit No. 4, in Section 171, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 3 (R-3) to General Retail District (GR). (Vicinity: South Washington Street and Wolflin Avenue.) This item was presented by Cody Balzen, Planner II. Councilmember Hays inquired if the conversations with the neighbors included other uses besides businesses with a drive-through and other economic potential for this property. Rick Crawford, 6601 Admiral Court, replied Neighborhood Services zoning would not work only General Retail. Mr. Balzen stated the petitioners are in opposition to a change in zoning other than Neighborhood Services which is less intensive. General Retail is being requested from this applicant with the request of a drive through window. Mr. Crawford stated a restaurant that does not have a drive through would be vacant. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7739

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 WASHINGTON STREET AND WOLFLIN AVENUE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Councilmembers Powell and Smith; voting NO were Mayor Nelson, Councilmember Hays and Councilmember Sauer; the motion failed by a 2:3 vote of the Council.

Mr. Crawford inquired about the process to reintroduce this item. He asked Councilmember Hays to reconsider her vote. Councilmember Hays stated she thought there were many viable opportunities for the property. She further stated it was a difficult vote. Mayor Nelson suggested Mr. Crawford meet with the Planning Department to discuss his options.

ITEM 6: Mayor Nelson stated an appointment was needed to replace her on the First Responders Excellence and Innovation Fund Board. Mayor Nelson stated this board funds projects that will provide support and training to the First Responders on items that are not available in the general fund. Mayor Nelson stated she would like to see Councilmember Freda Powell step forward. Councilmember Powell stated she was willing to serve if offered. Motion was made by Councilmember Smith to appoint

Councilmember Powell, seconded by Councilmember Sauer.

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: Mr. McWilliams advised at 7:11 p.m. that the City Council would convene in Executive Session per Texas Government Code (1) Section 551.071 - Consult with Attorney about pending or contemplated litigation or settlement of same. Nurek and Stennett v. City of Amarillo; (2) Sec. 551.071 - Consult with the attorney on a matter in which the attorney's duty to the governmental body under the Texas Disciplinary Rules of Professional Conduct conflicts with this chapter; and (3) Section 551.072 - Deliberation regarding real property; discussion regarding purchase, exchange, lease or value of real property: (a) City Economic Development Project #18-04 in the vicinity of East 8th Avenue and South Lincoln Street.

Mr. McWilliams announced that the Executive Session was adjourned at 8:38 p.m. and recessed the Regular Meeting.

ATTEST:

Frances Hibbs
Frances Hibbs, City Secretary

By Leda Powell
Ginger Nelson, Mayor