

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 12th day of April 2016, the Amarillo City Council met at 4:00 p.m. for a work session, executive session, and the regular session held at 5:00 p.m. in the Council Conference Room and Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELISHA L. DEMERSON	COUNCILMEMBER NO. 1
BRIAN EADES	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

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

TERRY CHILDERS	INTERIM CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Bryan Van Meter, Fire Department Chaplain. Mayor Harpole led the audience in the Pledge of Allegiance.

Proclamations were presented for "AECC Telecommunications Week" and "Linemen Appreciation Month."

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

ITEM 1: Mayor Harpole presented the minutes for April 5, 2016. Motion was made by Councilmember Burkett to approve the minutes; motion was seconded by Councilmember Nair, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance amending the Amarillo Municipal Code, Chapter 10-3, Article IV, Section 10-3-45 prohibiting camping on municipal facilities and publicly owned property. Mr. McKamie stated since the first ordinance there have been no substantive changes. This amendment is recommended for adoption based upon the recommendations of the ad hoc subcommittee. Mayor Harpole stated this does not end the discussions in helping and aiding with the homeless. Councilmember Nair stated the work was not over and there is still a lot to do. Carolyn Thornton, 4101 West 51<sup>st</sup>, stated she was still concerned where the homeless will stay and if there are enough beds available.

Councilmember Eades stated it is rare circumstances when a person has to pay for shelter. Many of these people have chosen to use the shelters as a place of residence. He further stated he also wants to see people protected from the cold, be offered services, and support. Shawn Fuller, 3801 Paramount Street, stated he was representing the downtown blanket coalition and they are in opposition of Ordinance Nos. 7333 and 7596. Rusty Tomlinson, 5700 Canyon Drive, asked how the Council wants to be remembered part of the problem or solving problems. Kidd Rudd, 6850 Grande Drive, stated progress has been made but it would be nice if Amarillo re-eradicated homeless and making homeless a priority. Councilmember Eades stated he has heard these comments for long period of time, and tent cities and camps are not the appropriate responses for the homeless. They need to seek the services that are available. Virginia Williams-Trice, 1504 Bowie Street, stated she was part of the ad hoc committee and she does not support the ordinance. Allen Finegold, 2601 North Grand Street, stated Wild Horse Lake is privately owned and often used as a campground and the City needs to have a campground available. Dale Potter, 3200 Oakdale Drive, stated he was previously homeless in Amarillo and there is a need to fix the problem, but not with a temporary solution.

Motion was made by Councilmember Eades, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7596

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 10-3, ARTICLE IV, SECTION 10-3-45 PROHIBITING CAMPING ON MUNICIPAL FACILITIES AND PUBLICLY OWNED PROPERTY AND PROVIDING AFFIRMATIVE DEFENSES; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance rezoning Lots 7-18, Block 2, Mrs. M.D. Oliver-Eagle's subdivision of Block 228, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas, to change from Planned Development District 111B to Planned Development 111C for additional storage in the vicinity of Taylor Street and Southeast 17<sup>th</sup> Avenue. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7597

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF SOUTHEAST 17<sup>TH</sup> AVENUE AND TAYLOR STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 4: Mayor Harpole presented an ordinance rezoning of Lot 3A, Block 74, Ridgecrest Unit No. 57, and Lot 4A, Block 74, Ridgecrest Unit No. 55, all in Section 7, Block 9, BS&F Survey, Randall County, Texas, to change from General Retail District to Planned Development District for an office and storage warehouse in the vicinity of Teckla Boulevard and Ridgecrest Circle. Motion was made by Councilmember Burkett, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7598

AN ORDINANCE OF THE CITY OF AMARILLO, TEXAS: PROVIDING FOR SPECIFIED CHANGES IN THE OFFICIAL ZONING OF THE CITY OF AMARILLO, TEXAS; PROVIDING FOR CHANGE OF USE DISTRICT CLASSIFICATION OF SPECIFIED PROPERTY IN THE VICINITY OF TECKLA BOULEVARD AND RIDGECREST CIRCLE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 5: Mayor Harpole presented a resolution authorizing and approving the application for the 2016 U.S. Department of Transportation's Transportation Investment Generating Economic Recovery (TIGER) program for the purposes of securing funding assistance in the development of complete streets on Polk Street, 6<sup>th</sup> Street and other streets in the vicinity of downtown and pledging the minimum 20% local funding match.

Mr. Childers stated there was a public comment period when this application was put together last year and submitted to TxDOT for consideration. He stated he understands that there are some concerns about the parking. Council has a couple of options but due to the timeline, this item would need to be approved by next week. There have been no changes on this application from last year. Mayor Harpole stated he would like

to move ahead on this item today.

Gerald Jones, 6206 Adirondack Street, inquired as to how much parking the TIGER proposal would take. James Schenek, 6216 Gainsborough Street, asked if there was an application fee for reapplying for the TIGER grant. Mr. Childers answered they are using the plans from the last application and there were no substantive fees. Councilmember Demerson stated he has heard concerns from business owners about parking on 6<sup>th</sup> Street. Fred Salmay, 1900 South Goliad Street, inquired about the schematics and photographs of parking on both sides of the street. He further inquired about the sidewalks currently being built. Mayor Harpole stated the handicap sidewalks were required by the federal government and being built by TxDOT across town. Councilmember Burkett inquired if bike lanes needed to be on both sides of the street. Mr. Cowell stated TxDOT would not approve the application. Allen Finegold, 2601 North Grand Street, stated the last proposed pathway included the Santa Fe Railroad Depot. He further stated the bike lanes should go down 7<sup>th</sup> Street. Cindi Bulla, 1400 Regan Court, stated wider sidewalks and more foot traffic would increase property values. She further stated if the federal money goes somewhere it might as well be to Amarillo. Trina Fournier, 4427 South Hayden Street, stated she liked the idea of bicycle lanes and believed traffic would slow down once the streetscape changed.

Councilmember Demerson inquired as to the streetscape improvements and proposed scope of the 6<sup>th</sup> Street changes. Mr. Cowell replied that the scope as laid out last year, would include improved sidewalks, where possible the sidewalks would be widened, handicap ramps, placement of bike lanes, streetlights, benches, and it would likely include repairs to the curbs and to the extent of the infrastructure. Cole Camp, 4402 Charlene Avenue, stated this was a bicycling community that has many events but there are no bike lanes. Councilmember Eades called the vote. Councilmember Nair seconded. Motion was made by Councilmember Eades to approve the resolution approving submission of a TIGER grant, seconded by Councilmember Nair, that the following captioned resolution be passed:

**RESOLUTION NO. 04-12-16-1**

**A RESOLUTION OF THE CITY OF AMARILLO, TEXAS; AUTHORIZING AND APPROVING THE SUBMISSION OF A TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY (TIGER) DISCRETIONARY GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND PLEDGING THE MINIMUM 20% LOCAL FUNDING MATCH; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.**

Voting AYE were Mayor Harpole, Councilmembers Eades and Nair; Voting NO were Burkett and Demerson; the motion carried by a 3:2 vote of the Council.

**ITEM 6:** Mayor Harpole presented a resolution authorizing the City to seek and distribute State funds, pursuant to article 5190.14, Section 5C of the Texas Revised Civil Statutes, in cooperation with the Amarillo-Potter Events Venue District, for the qualifying event. Ms. Bonner presented numbers from an economic impact study from the last show. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned resolution be passed:

**RESOLUTION NO. 04-12-16-2**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO: AUTHORIZING THE CITY MANAGER TO SEEK AND DISTRIBUTE STATE FUNDS, PURSUANT TO ARTICLE 5190.14, SECTION 5C OF THE TEXAS REVISED CIVIL STATUTES, IN COOPERATION WITH THE AMARILLO-POTTER EVENTS VENUE DISTRICT, FOR A QUALIFYING EVENT; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.**

Voting AYE were Mayor Harpole, Councilmembers Demerson, Eades, Burkett and Nair; Voting NO were none; the motion carried by a 5:0 vote of the Council.

ITEM 7: Presentation by Richard Havens, Animal Management & Welfare Director. Mr. Havens presented proposed ordinance changes.

Dr. Eades left the meeting during this time.

ITEM 8: Mayor Harpole advised that appointments are needed for certain boards. Mr. Childers encouraged the Council to consider the Mayor's position as the Chair to the Audit Advisory Committee.

Motion was made by Councilmember Burkett to nominate Mayor Harpole and Councilmember Nair to serve as the Council Committee to serve as an Audit Advisory Committee.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Burkett and Nair; Voting NO were none; the motion carried by a 4:0 vote of the Council.

Motion was made by Councilmember Nair to nominate Councilmembers Demerson and Burkett to serve as the Council Subcommittee on Economic Development Incentive Policies and Guidelines.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Burkett and Nair; Voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 9: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. There were none. Motion was made by Councilmember Burkett to approve the consent agenda, seconded by Councilmember Demerson.

- A. Award – Base Bid, and Alternate No. 1 to West Texas Utility Contractors:  
Scope: Hangar 4 building at the Rick Husband Amarillo International Airport
- |                        |   |
|------------------------|---|
| Base Bid:              | \$58,671.00 (lift station replacement)        |
| Alternate No. 1:       | \$17,240.00 (oil/water separator replacement) |
| Total Contract amount: | \$75,911.00                                   |

This item is award of base bid and alternate no. 1 for the replacement of the Hangar 4 (maintenance hangar/ARFF Station) lift station (base bid) and oil water separator (oil/water separator). The current equipment is original to the airport, built by the Air Force in the late 1950's and it has surpassed the expected useful life.

- B. Approval – Change Order Five (5) – Job #521928: Pipebursting in Various Areas of Amarillo:

Original Contract	\$ 939,314.00
Previous Change Orders:	\$ 19,265.00
Current Change Order:	\$ 58,204.00
Total Change Orders:	\$ 77,469.00
Revised Contract:	\$1,016,783.00

This item approves Change Order No. 5 to the contract with Amarillo Utility Contractors for additional work required.

- C. Approval – Event Support Contract for the 2016 Adequan Select World Championship Show:

This item awards the Event Support Contract as required for the City's participation with the State of Texas Comptroller of Public Accounts Special Event Trust Funds. The City of Amarillo participates with the Amarillo Chamber of Commerce, the Amarillo-Potter Event Venue District and the American Quarter Horse Association in the program.

Voting AYE were Mayor Harpole, Councilmembers Demerson, Burkett and Nair; Voting NO were none; the motion carried by a 4:0 vote of the Council.

Mayor Harpole announced that this is the end of the regular agenda, but this time is reserved to hear from any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City Council can respond with a statement of fact, a statement of City policy or decide whether to place an item on a future agenda.

Judi Glidewell, 6105 Rockwell Road, read a statement about the Animal Management & Welfare (AM&W). Andrea Slater Gulley, 3533 Sleepy Hollow Boulevard, stated she supported the upcoming AM&W ordinance changes. She further asked they consider the needs of the AM&W when reviewing the budget. Al Patel, Amarillo, asked that on a future agenda they discuss how the Council plans to fund the MPEV. James Schenek, 6216 Gainsborough Street, inquired about the use of private funds and using all the HOT tax funds. Carolyn Thornton, 4101 West 51<sup>st</sup> Avenue, requested on a future agenda an ordinance for the homeless who are unable to go into shelters and allowing camping on private property with the owner's permission and City regulations. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor