

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 26th day of April 2016, the Amarillo City Council met at 4:00 p.m. for a work session and the regular session 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:

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 is Burt Palmer, Polk Street United Methodist Church. Mayor Harpole led the audience in the Pledge of Allegiance.

Proclamations were presented for "National Tourism Week."

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 19, 2016. Motion was made by Councilmember Burkett to approve the minutes; motion was seconded by Councilmember Eades, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance amending Chapter 8-2, Amarillo Municipal Code, to remove existing barriers that prevent owners from reclaiming their animals by eliminating the tiered reclaim fee schedule, strengthening definitions, creating definitions where needed, increasing public safety by facilitating the creation of a Dangerous Dog Database, strengthening penalties for those who do not surrender bite animals for observation, and correcting various grammatical errors that currently exist. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7599

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING 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 of Lot 3 and 4, Block 2, Howell Addition, in Section 135, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Heavy Commercial to Heavy Commercial with Specific Use Permit 182 for placement of a Concrete Batching Plant. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7600

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 FO SPECIFIED PROPERTYT IN THE VICINITY OF HASTINGS AVENUE AND GLENN DRIVE, 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 22G, Block 23, Glendale Addition, 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 to Planned Development District for General Retail uses and specific Light Commercial. Motion was made by Councilmember Eades seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7601

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 BELL ST AND HILLSIDE RD, 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 establishing the City Council Appointment Process to name a qualified person to serve as a member of Council in Place 2.

Mr. Childers stated the City Council Appointment Process and Procedure was drafted according to the discussions last week. He stated there was ample time to modify this process. A lot of discussions were made as to the openness, public comments and application process. This process would allow interested individuals to submit an application, along with a letter of interest, and resume describing their desire in being considered. This is not a nomination process, but an affirmative effort on the part of the individual. The application process cites the charter language in regard to the qualifications. All applications would be submitted to City Secretary for vetting. The Council will need to consider how many finalists it will interview depending on how many candidates apply. Also, the Council will need to decide the direction in case a finalist withdraws. When Councilmember Eades' resignation date becomes effective the new Councilmember will be sworn-in at the next regular meeting. Mr. Childers stated the Council will soon face major issues and establishing this schedule would be helpful. A special meeting for interviews would allow the Work Sessions to be used for those purposes. He further stated additional language may be needed permitting Council to go into executive session for any sensitive items. A statement may be needed in regard to all of the applications submitted being held confidential until the established finalists list. Once the finalists list is established, then those names would become public records.

Councilmember Burkett suggested taking applications through Friday, May 20 to shorten the process. Councilmember Eades stated voters will have a say in approximately nine months and he suggested not spending a lot of time on this issue. Councilmember Nair suggested accepting applications right away through May 20. Mr. McKamie stated as written the candidate would be disqualified if there was no cover letter, resume or application. Mr. Childers stated he had envisioned the announcement being placed on the City's website and all information made available to perspective candidates. Councilmember Demerson stated he had no problem with the May 20 date. Mayor Harpole stated the City Secretary would notify the potential candidate if something were missing. Councilmember Demerson suggested starting on May 4 so all of the information was available at the same time.

Mr. McKamie stated the Charter states the remaining Council will fill the vacancy. The input of Councilmember Eades is entirely up to the Council. Councilmember Nair stated Councilmember Eades was a respected member of this Council and his wisdom is invaluable. Mr. McKamie stated under the Open Meetings Act, applications need not be made public until the finalist is selected. Mayor Harpole inquired if applicants should be made public. Councilmember Burkett stated the names should be released as they apply. Councilmember Demerson stated anyone applying recognizes the public scrutiny with no expectation of privacy once they have submitted their name.

Mayor Harpole stated the need to know how many finalists they will interview. Councilmember Burkett suggested 3-5 finalists. Mayor Harpole suggested 5-8. Councilmember Nair inquired if the 5th person dropped out if they would consider the next person. Councilmember Burkett stated concerns about changing the rules after they began the process. He further stated the need to have all interviews on one day, staggered times and each person is given the same interview questions. Mayor Harpole stated in the case of an emergency they would take that into consideration. Councilmember Burkett stated the potential candidates would know the interview date in advance and could check in advance with their schedules. Mayor Harpole confirmed 30 minutes interview times. Councilmember Burkett suggested each Councilmember ask two questions each.

Mayor Harpole inquired if the questions would be released ahead of the interview times no less than seven days before the interview. Councilmember Burkett suggested Council being able to go into executive session, just in case. Mayor Harpole stated something could come up on a candidate that could be sensitive and it would be open to criticism. Councilmember Burkett stated the public should not be able to ask questions or comment. Mayor Harpole stated there is no need for comments and they may become personal. Mr. McKamie suggested they not allow public comments. The comments could be negative and there are liability issues and questions of integrity. Mayor Harpole stated it was agreed to restrict public comments and Council will make the decision. Mr. Childers stated the resolution would be amended and put on next week's agenda for action. Motion was made by Councilmember Eades to table this item, seconded by Councilmember Burkett, that the following captioned resolution be tabled:

RESOLUTION NO. 04-26-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO
ESTABLISHING THE PROCESS AND PROCEDURE TO BE FOLLOWED
TO APPOINT A MEMBER TO FILL A VACANCY IN PLACE 2 ON THE
CITY COUNCIL.**

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 6: Mayor Harpole presented a resolution setting the date and time for a public hearing on May 17, 2016, at 5:00 p.m. to determine if the property at 1107 North Bolton Street consists a public nuisance and thereby declared as a dangerous structure. A copy of this resolution will be mailed to all interested parties providing ten (10) days notice of public hearing. Motion was made by Councilmember Eades, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 04-26-16-1

**A RESOLUTION CALLING A PUBLIC HEARING TO DETERMINE
WHETHER CERTAIN CONDITIONS DESCRIBED HEREIN
CONSTITUTE A PUBLIC NUISANCE AT THE LOCATION(S) STATED;
PROVIDING FOR NOTICE.**

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: 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 Nair to approve the consent agenda, seconded by Councilmember Burkett.

A. Award – Traffic Bead and Traffic Paint Supply Agreement:

Potters Industries LLC	\$ 22,720.00
Ennis Paint, Inc.	\$ 8,800.00
Sherwin Williams Co.	\$ 89,760.00
Total	\$121,280.00

This award is to approve an annual contract for the purchase of Traffic Beads and Traffic Paint Supply agreement.

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.

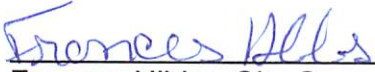
The presentation and discussion was continued from the Work Session regarding the Multi-Purpose Event Venue financing. Mr. Childers stated the Resolution for financing the MPEV would be a action item on next week's agenda.

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.

Allen Finegold, 2601 North Grand Street, stated he hoped there would be discussion and debate next week on MPEV financing. He further stated news of a new Transit facility would be better used for drivers and maintenance on City buses. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:



 Frances Hibbs, City Secretary



 Elisha Demerson, Mayor Pro Tem