

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 24th day of May 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 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
DAVID SOTO	PLANNER I
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Anthony Harris, St. John Baptist Church. Mayor Harpole led the audience in the Pledge of Allegiance.

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 May 17, 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 of an ordinance rezoning of a 20.46 acre tract of land out of Section 191, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Agricultural District to Residential District 3. Motion was made by Councilmember Nair, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7602**

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 VINEYARD BOULEVARD AND BROADWAY 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 3:** Mayor Harpole presented an ordinance rezoning of a 5.928 acre tract of land in Section 183, Block 2, AB&M Survey, Randall County, plus one-half of all bounding streets, alleys and public ways, to change from Agricultural District to Residential District 3. Motion was made by Councilmember Demerson, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7603

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 FARMERS AVENUE AND EXPLORER TRAIL, 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 4: Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of lawful accumulation of solid waste, salvaged items and junk constituting a public nuisance located at 1804 South Lincoln Street. Motion was made by Councilmember Nair to select Option V seconded by Councilmember Eades, that the following captioned resolution be passed:

## RESOLUTION NO. 05-24-16-1

A RESOLUTION DECLARING THAT CERTAIN ACCUMULATIONS DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE CLEANUP AND REMOVAL OF SUCH ACCUMULATIONS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Randy Schuster, Interim Building Official, Cheryl Austin, Carolyn Thornton, Tom Warren, and Alisha Vieths were sworn in. Mr. Schuster stated the property at 1804 South Lincoln Street consists of unlawful accumulation of solid waste, salvaged items and junk. There have been no recent applications for permits to abate the nuisance and demolition is recommended. The property is a nuisance to the community and creates an unsafe environment. There are no current taxes and no delinquent taxes due on the property. There is an activity water account. The City has \$1,393.00 due for prior mowing and cleanup. Mr. Schuster stated the owners' representative has recently contacted Building Safety about cleaning up the property. Councilmember Demerson asked if they are allowed to look over a fence. Mr. Schuster replied the screening was highly visible and the fence was not solid. Mayor Harpole stated they must consider what the neighbors have to deal with. Councilmember Burkett stated the location does not met TxDot's definition of salvage yard.

Mayor Harpole asked if there was an owner, property owner or neighbor in attendance. Alisha Vieths, 36025 FM 1258, stated she represented the owner, Jorge Hernandez. He is currently working. She further stated he collects the metal and takes it to the scrap yard. They have cleaned the front yard and everything else is behind the fence. She was asking for an extension to clean the property. Councilmember Burkett inquired when Mr. Hernandez received the first letter. Ms. Veiths stated he did receive the certified letter but did not open it. She stated people from his work and church members have volunteered to help with the cleanup. Mr. McKamie stated the prior liens are not a piece of evidence to consider when making a determination on the property. Council's charge is to follow procedures and determine whether or not the property should be abated. Councilmember Burkett stated the property owner received the first notice eight months ago. If they file for a provisional permit they will have an additional 60 days. Mr. Schuster stated the provisional permit would cost \$345.

Cheryl Austin, 116 Westside Drive, stated there was no evidence this property was a substantial danger to the health and safety of the public. Carolyn Thornton, 4101 Southwest 45th Avenue, stated she has a brother that lives near someone that brings home junk and living next door to something like that is terrible. Tom Warren, II, 1510 South Johnson Street, stated he has owned property in the 1600 block of South Johnson for 40 years, and the majority of the neighborhood is depressed and this property is not an issue. There were no other comments.

Voting AYE were Mayor Harpole, Councilmembers Eades, Burkett and Nair; voting NO was Councilmember Demerson; the motion carried by a 4:1 vote of the Council.

**ITEM 5:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of an accessory structure located at 2606 South Ong Street. Motion was made by Councilmember Demerson to select Option(s) II and V seconded by Councilmember Eades, that the following captioned resolution be passed:

RESOLUTION NO. 05-24-16-2

A RESOLUTION DECLARING THAT CERTAIN IMPROVEMENTS DESCRIBED HEREIN ARE PUBLIC NUISANCES AND REQUIRING THE TAKING DOWN AND REMOVAL OF SUCH IMPROVEMENTS; PROVIDING FOR FILING OF LIENS; PROVIDING A REPEALER CLAUSE; PROVIDING SEVERANCE CLAUSE; PROVIDING EFFECTIVE DATE.

Randy Schuster, Interim Building Official and Gail Nickum Pennington, were sworn in. Mr. Schuster stated the property at 2606 South Ong Street consists of an accessory structure and the roof assembly has deteriorated and collapsed. There have been no recent applications for permits to abate the nuisance and demolition is recommended. The property is a nuisance to the community and creates an unsafe environment. There are no current taxes and no delinquent taxes due on the property. There is an active water service. Mayor Harpole asked if there was an owner, property owner or neighbor in attendance. Gail Nickum Pennington, 2604 South Ong Street, stated as a neighbor she has made complaints several times about the home which has been unoccupied since December 2000. The house is boarded up and has broken windows. The accessory building is burnt and kids have been seen in the accessory building. There are also problems with possums. Susan Stokes, 2610 South Ong Street, stated she started complaining in approximately 2000. She first called last November about the dilapidated building. There were no other comments.

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:** Councilmember Nair stated the process was opened with the application process. The Mayor and Council were now asked to rank the candidates using a blind selection, then using a matrix which would select the top five candidates for the interview process.

Mayor Harpole stated if the top five could not attend or changed their mind they would go down the list to the next person. He further stated each Councilmember would submit a couple of questions but Councilmember Eades would not participate in the choosing and would not rank the candidates. Councilmember Burkett stated there would be one candidate in the room at a time so that they did not hear the answers of the other candidates. Mayor Harpole said the ranking would be completed next week and the Council would go over the questions in an executive session. Mayor Harpole stated two alternatives would also be named. Mr. McKamie stated only the names of the finalists are subject to disclosure to protect privacy.

**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 Burkett to approve the consent agenda, seconded by Councilmember Eades. Mr. Childers stated Councilmember Nair had asked for clarification on Item D and Rod Tweet and Jerry Danforth would present an update. Jerry Danforth, Director Project Management, stated Thursday they would have the asbestos abatement bids. It would take two weeks to review those bids and then they would get it on the agenda for Council approval. They would then coordinate with Rod Tweet and Community Development to see how to design the structure using the best footprint. The construction bid would go out in August. Rod Tweet, Parks and Recreation Director, stated they would tentatively do a public engagement in June, and decide the best programs and activities for the community at the former North YMCA. He further stated this was a grant from the Amarillo Area Foundation and a second grant is pending.

Mr. Childers introduced Jessica Hartman Tudyk, from the Amarillo Area Foundation. Mr. Danforth stated unless there were plumbing issues underneath the slab additional problems have not been identified.

- A. Award – Amarillo Civic Center East Service Ramp Replacement Damaged in 2014 flood.  
Tri-State General Contracting base bid and alternate -- \$121,000.00

This project is to remove and replace the eastside concrete ramp that was damaged during the main water line break in July of 2014.

- B. Award of Contract – Agreement for Hydrology Services:  
This agreement in the amount of \$65,704.00, is for professional services to assess the quantity and quality of groundwater occurring under Sections 392 and 401, both in Block 43, H&TC RR Co. Survey, Ochiltree County, Texas. The agreement requires the hydrologist to perform drilling and analytical tasks, and to prepare a Technical Memorandum related to three (3) test holes.

- C. Purchase – Tractors, Forklifts, and Industrial equipment  
Award to low bidders meeting specifications below:

Vermeer equipment of Texas Lines 1 & 7 Associated Supply Co.	\$164,600.00
Line 2 Western Equipment LLC	\$28,975.00
Lines 3 & 4 Medley Material Handling Inc.	\$58,019.00
Line 5 LPM of Oklahoma/Amarillo	\$25,866.00
Line 6 Earth Tool Co. DBA Hammerhead Trenchless Equipment	\$22,238.60
Line 8	<u>\$130,503.40</u>
Total Award	\$430,202.00

This item is for scheduled replacement of Tractors, Forklifts, and Industrial equipment that have reached or exceeded usable life and additional equipment approved in the 2015-2016 budget. The award consists of equipment that will be used by the following departments: Park Maintenance, Solid Waste Collection, Water Distribution, Solid Waste Disposal, and Civic Center Operations. This bid represents an overall 27% decrease from the last purchase. Funding for this award is available in the approved FY 2015-2016 Municipal Garage Machinery General Budget.

- D. Acceptance – Amarillo Area Foundation Grant:  
Acceptance of a \$250,000 grant, as approved by the Board of Directors of Amarillo Area Foundation, from the Katherine E. Brady Fund, to support the renovation of the former North Branch YMCA recently purchased by the City of Amarillo located at 1330 Northwest 18<sup>th</sup> Avenue:

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.

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.

Robert Goodrich, 4111 Stony Point, inquired about the ranking of the potential candidates. Mr. McKamie stated that item has already been discussed. Allen Finegold, 2601 North Grand Street, inquired about the City amending a contract price and not having discussions with the public and referred to the financing of the MPEV. Mayor

Harpole stated the MPEV was a nonbinding referendum. Cheryl Austin, 116 Westside Drive, inquired if the convention hotel as a Marriot because their stocks were down. Mayor Harpole replied it was an Embassy. There were no further comments.

Mayor Harpole advised that the meeting was adjourned and the Council would go into Closed Session then adjourn.

ATTEST:



Frances Hibbs, City Secretary



Paul Harpole, Mayor