

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 12th day of July 2016, the Amarillo City Council met at 9:00 a.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:

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
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Davlyn Duesterhaus, Baptist St. Anthony's. 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 July 5, 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:** Mr. Childers recognized the employees and volunteers who assisted with the Tire Recycling Program. Mr. Childers introduced Steve Fisk, Gary Pitner, PRPC, Lori Gunn, PRPC and Leigh Cravin (not in the audience). Mr. Fisk stated the response was great and there were 5,416 tires collected. Funding was provided through a PRPC grant of \$5,500. Mr. Fisk also introduced the Solid Waste Department Brush Crew who put the tires in the shipping containers.

**ITEM 3:** Mayor Harpole presented for Council's consideration the confirmation of the appointment of Ed Drain as Interim Police Chief for the City of Amarillo. Mr. Childers stated Council previously approved the agreement with the City of Plano. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, to confirm the appointment of Ed Drain as the Amarillo Police Chief.

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 the second and final reading of an ordinance amending Section 10-3-116, Participation, Maximum Fee Schedule and Terms, of Article VII regarding non-consent towing and police rotation towing. Motion was made by Councilmember Eades, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7606**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TO AMEND SECTION 10-3-116, "PARTICIPATION, MAXIMUM FEE SCHEDULE AND TERMS," OF ARTICLE VII REGARDING NON-CONSENT TOWING AND POLICE ROTATION TOWING; 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 Harpole, Councilmembers Demerson, Eades and Nair; Voting NO was Councilmember Burkett the motion carried by a 4:1 vote of the Council.

ITEM 5: Mayor Harpole presented the second and final reading of an ordinance rezoning Lots 15-16, Beckwith Addition, in Section 166, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 1 to Residential District 1 with a Specific Use Permit for the placement of a Type A Manufactured Home. (Address: 159 West Colorado Avenue.) Brian Henley 159 West Colorado Avenue, stated there other mobile homes in the same area. Wanda Selby, 159 West Colorado Avenue, stated the original house was torn down and Mr. Henley was going to live in the mobile home. Councilmember Demerson inquired if there was any opposition. Mr. Cowell stated there has been no opposition in accordance to the Planning and Zoning minutes and the item was unanimously recommended. Motion was made by Councilmember Burkett, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7607

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 COLORADO AVENUE AND BUCK STREET, POTTER COUNT, 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 6: Mayor Harpole presented a resolution approving an amendment to the Bylaws of the Amarillo Local Government Corporation. This amendment creates Article II, Section 10 relating to the attendance of the Board members. The Amarillo Local Government Corporation Board of Directors unanimously approved this change at their May 18, 2016 meeting and they are presented here for final City Council approval. Mayor Harpole inquired if other boards have the same stipulation. Councilmember Eades stated the Local Government Corporation was an independent corporation. Motion was made by Councilmember Nair, seconded by Councilmember Burkett, that the following captioned resolution be passed:

RESOLUTION NO. 07-12-16-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: APPROVING AN AMENDMENT TO THE BYLAWS OF THE AMARILLO LOCAL GOVERNMENT CORPORATION; 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: Mayor Harpole presented a resolution establishing a Pedestrian and Bicycle Safety Advisory Committee charged to identify and evaluate safety concerns and solutions for pedestrians and cyclists in the community.

Councilmember Nair stated the purpose of this committee was to allow getting around town safely and address how to make it safer. Jesse Pfimmer, 5723 South Milam Street, stated many of the older parts of the City do not have sidewalks. He further inquired if motorized wheelchairs and ADA compliance would be considered. Mayor Harpole replied that many older parts of the City do not have sidewalks and they will challenge this group to search for funding through federal grants. James Schenck, 6216 Gainsborough Street, inquired as to the safety issues of the bicyclists going against traffic and the need to get the safety issue out to the public. Keith Grays, 2322

Northwest 11 Avenue, stated the North Heights as seen some business growth and inquired about a crosswalk. Councilmember Burkett asked about the cost of installing a blinking light and crosswalk. Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 07-12-16-2

A RESOLUTION OF THE AMARILLO CITY COUNCIL ESTABLISHING A PEDESTRIAN AND BICYCLE SAFETY ADVISORY COMMITTEE; DEFINING ITS PURPOSE, ESTABLISHING GUIDELINES FOR APPOINTMENTS TO THE COMMITTEE; PROVIDING FOR THE COMMITTEE'S DUTIES AND RESPONSIBILITIES; 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 8:** Mayor Harpole presented a resolution establishing an Environmental Task Force charged with research and evaluating recycling options for the community and to identify a potential list of other environmental concerns that may be similarly researched and evaluated and brought to the City's attention. Councilmember Nair stated the need to explore the idea of recycling and getting some data behind the research. Mr. Cowell stated this Ad Hoc Committee would have charges to report on recycling and other items to be considered. The Committee would have a one-year sunset provision. Mayor Harpole stated separation of trash was very costly, consideration of transportation costs, and commodity prices were concerns. He suggested also checking with PRPC for grants. Cole Camp, 4402 Charlene Avenue, stated he has been in the environmental field for 18 years and offered his services. Allen Finegold, 2601 North Grand Street, asked the Council to consider the possibilities of objects that are reusable. He stressed the steel scrap and metals that pose a problem in Amarillo and possibly toxic waste dumps. Motion was made by Councilmember Eades, seconded by Councilmember Demerson, that the following captioned resolution be passed:

RESOLUTION NO. 07-12-16-3

A RESOLUTION OF THE AMARILLO CITY COUNCIL ESTABLISHING AN ENVIRONMENTAL TASK FORCE; DEFINING ITS PURPOSE, ESTABLISHING GUIDELINES FOR APPOINTMENTS TO THE TASK FORCE; PROVIDING FOR THE TASK FORCE'S DUTIES AND RESPONSIBILITIES; PROVIDING SEVERABILITY CLAUSE; PROVIDING SAVINGS CLAUSE AND EFFECTIVE DATE.s

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 9:** Mayor Harpole stated the ranking for applicants were tied for the first position. Motion was made by Councilmember Nair to nominate Lisa Blake to replace Brian Eades, seconded by Councilmember Demerson.

Voting AYE were Mayor Harpole, Councilmembers Demerson and Nair; voting NO was Councilmember Burkett; Councilmember Eades abstained; the motion carried by a 3:1 vote of the Council.

**ITEM 10:** 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 Nair.

- A. Award – Simms Municipal Building 808 South Buchanan Parking Lot Demo and New Parking Lot Replacement with Streetscape on 9<sup>th</sup> Avenue:  
This item recommends that the construction contract be awarded to A&S General Contractors, Inc. in the amount of \$228,114.00.

- B. Award – Amarillo Police Department Storage Facility Site Work, Foundation and Building Floor Slab located at 2401 Prairie Dog Lane:  
This item recommends that the construction contract be awarded to Tri-State General Contracting, Inc. in the amount of \$169,000.00.
- C. Award – Hillside Terrace Estates 30" Sewer Replacement Contract 1 – Soncy Road to Arden Road Project:  
Condie Construction Company, Inc. -- \$986,565.00  
This item is to approve the contract for construction services for Condie Construction Company, Inc. to replace and install 30-inch sewer line along Soncy Road to Arden Road.
- D. Award – Southeast 3<sup>rd</sup> Avenue Lift Station Storm Sewer Force Main Replacement:  
Amarillo Utility Contractors -- \$238,000.00  
This item is to approve the contract for the Emergency Repair of Southeast 3<sup>rd</sup> Avenue Lift Station Storm Sewer Force Main Replacement. This project will replace damaged storm sewer force main in Southeast 3<sup>rd</sup> Avenue and repairs damage to infrastructure due to failed force main. Funding for this project was approved utilizing the Draining Utility Fund.
- E. Approval – Addendum Four (4) – Job#521941: 24<sup>th</sup> Pipeline 48" Well Water Transfer Line:  
Original Contract: \$1,525,054.00  
Previous Addendums: (\$236,500.00)  
Current Addendum: \$9,679.00  
Total Addendums: (\$226,821.00)  
Revised Contract: \$1,298,233.00
- This item approves Addendum Four (4) to the Professional Service Agreement with HDR Engineering, Inc. to allow for additional construction observation services lump sum fee outlined in the addendum.
- F. Acceptance – Continuum of Care Grant for Shelter Plus Program:  
This item is through the continuum of Care Grant from the Department of Housing and Urban Development, the Community Development Department administers rental assistance to homeless person with disabilities who receive mental health services as Texas Panhandle Centers.

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.

Keith Grays, 2326 Northwest 11 Avenue, stated he and his partner owned 707 South Polk Street. This venue is used for weddings, etc. He stated problems with people using bullhorns and the homeless. Edmond Johnson, 2116 South Hayden Street, presented copies of the AEDC report series by Channel 7. He stated as an ex-state auditor, AEDC had no written policies and they needed to do a better job. Rusty Tomlinson, 5700 Canyon Drive, stated charity should not be criminalized. Kit Rudd, 6850 Grande Drive, stated he understood that Tyler Resource Center was going to be shutdown. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:

  
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Frances Hibbs, City Secretary

  
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Paul Harpole, Mayor