

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 6th day of December 2016, 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:

PAUL HARPOLE	MAYOR
ELISHA DEMERSON	COUNCILMEMBER NO. 1
LISA BLAKE	COUNCILMEMBER NO. 2
RANDY BURKETT	COUNCILMEMBER NO. 3
MARK NAIR	COUNCILMEMBER NO. 4

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

MICHELLE BONNER	ASSISTANT CITY MANAGER
KEVIN STARBUCK	ASSISTANT CITY MANAGER
MICK MCKAMIE	CITY ATTORNEY
BLAIR SNOW	MANAGEMENT ANALYST
FRANCES HIBBS	CITY SECRETARY

The invocation was given by Greg Dowell, Central Church of Christ. 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 November 22, 2016. Motion was made by Councilmember Burkett to approve the minutes, seconded by Councilmember Blake, and unanimously carried to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance establishing a 15-member 21st Century Senior Services Development Advisory Board as recommended by the "Blueprint for 21st Century Senior Services" plan and required by the Memorandum of Understanding (MOU) among the City of Amarillo, Amarillo Area Foundation, Baptist Community Services and the Mary E. Bivins Foundation. The MOU establishes a development period of two years to indentify and address critical components for the development of program(s) providing comprehensive senior adult services. Linda Pitner, Senior Services Coordinator presented this item. Ms. Pitner stated they are looking at creating a cooperative network. They will identify where they are, where the gaps are and how to address them as a community. Councilmember Burkett stated he would like the Council to consider Robert Goodrich and William Sumerford. Mayor Harpole encouraged everyone interested to submit an application on the City's website. Motion was made by Councilmember Nair, seconded by Councilmember Blake, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7636

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: ESTABLISHING THE 21ST CENTURY SENIOR SERVICES DEVELOPMENT ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson, 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 2, Block 3, Medical Center Unit No. 3, in Section 43, Block 9, BS&F Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Office District 1 to Office District 2. This rezoning was reviewed and recommended for approval by a

6:0 vote from the Planning and Zoning Commission. AJ Fawver, Planning and Zoning Director, presented this item. Councilmember Burkett inquired as to the applicant or property owner. Ms. Fawver stated that no plans have been submitted on the property but the applicant was Jeff Archer. Motion was made by Councilmember Burkett, seconded by Councilmember Nair, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7637

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 WEST AMARILLO BOULEVARD AND HALSTEAD STREET, POTTER COUNTY, TEXAS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Blake, Demerson, 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 amending Article IV, Chapter 8-3, Section 8-3-82; adding article V, Chapter 8-3, Sections 8-3-116 through 8-3-131 to provide regulation of tire businesses. Scott McDonald, Director Strategic Initiatives, provided an update on this item. He stated there were 35,677 tires disposed of last year for a cost of \$80,785 with very little revenue received. Personnel costs exceeded \$100,000 with 7,500 man-hours on scrap tires. Mr. McDonald further stated he continues to receive stakeholder input. Mr. McDonald then highlighted the significant changes from the first reading. Councilmember Burkett stated he had contacted Liberty Tire Recyclers and they are interest in coming in January to discuss a recycling tire business. Councilmember Demerson inquired if citizens disposing of tires should be stricken from enforcement. Mr. McKamie replied the act of illegal dumping tires violates the current ordinance as well as state law. Councilmember Burkett inquired as to what individuals do when tires are dumped on their property and how to disposal of them. Mr. McDonald replied the Building Safety Department would send a letter to the property owner telling them of the need to remove the nuisance and it would be their financial responsibility. Motion was made by Councilmember Blake, seconded by Councilmember Nair, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7631

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, AMENDING ARTICLE IV, CHAPTER 8-3, SECTION 8-3-82; ADDING ARTICLE V, CHAPTER 8-3, SECTIONS 8-3-116 THROUGH 8-3-131 TO PROVIDING REGULATION OF TIRE BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVING FOR PUBLICATION AND EFFECTIVE DATE.

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

ITEM 5: Mayor Harpole presented an ordinance rezoning of Lot 18, Block 24, Sunrise Park Unit No. 6, in Section 106, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Residential District 2 to Residential District 2 with a Specific Use Permit for the placement of a carport. (Address: 1001 Gordon Street.) Motion was made by Councilmember Demerson, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7632

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 SOUTHEAST 10TH AVENUE AND GORDON STREET,

POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 6: Mayor Harpole presented an ordinance rezoning vacating of portions of right-of-way to include a 0.25 ft wide strip on the west side of Lots 6 and 7 and a 0.2 ft wide strip with the addition of two 5.2 ft x 8.3 ft sections on the south side of Lot 6, Block 139, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. (Address: 101 Southeast 11th Avenue.) Motion was made by Councilmember Blake, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7633

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSARY FOR RIGHT-OF-WAY IN THE VICINITY OF SOUTHEAST 11TH AVENUE AND SOUTH POLK STREET, POTTER COUNTY, TEXAS, VACATING AND ABANDONING THE HEREIN-DESCRIBED RIGHT-OF-WAY PROVIDING AN EFFECTIVE DATE, PROVIDING A REPEALER CLAUSE; PROVIDING AS SAVINGS CLAUSE.

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

ITEM 7: Mayor Harpole presented an ordinance rezoning of a portion of Lot 2, and all of Lots 3 and 4, Sunrise Park Unit No. 2 and Lot 5A and a portion of Lot 5B, Sunrise Addition Unit No. 4, all in Section 123, Block 2, AB&M Survey, Potter County, Texas to change from Planned Development 330 to amended planned development for additional signage. (Address: 4601 Interstate 40 Access Road.) Motion was made by Councilmember Nair, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7634

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 SOUTHEAST 17TH AVENUE AND CARTER STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

ITEM 8: Mayor Harpole presented an ordinance approving the vacating of an existing 20 ft. alley in Block 137, Plemons Addition, in Section 170, Block 2, AB&M Survey, Potter County, Texas. This vacation was reviewed and recommended for approval by a 6:0 vote from the Planning and Zoning Commission. (Address: Southwest 10th Avenue and South Tyler Street.) Motion was made by Councilmember Burkett, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7635

AN ORDINANCE OF THE CITY OF AMARILLO DETERMINING LACK OF PUBLIC NECESSITY FOR AN ALLEY IN THE VICINITY OF SOUTHWEST 10TH AVENUE AND SOUTH TYLER STREET, POTTER COUNTY, TEXAS; VACATING AND ABANDONING THE HEREIN DESCRIBED RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE; PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE.

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

ITEM 9: Mayor Harpole presented a resolution approving and authorizing the City of Amarillo publication of notice on the intention to issue Certificates of Obligation. Michelle Bonner, Assistant City Manager, introduced Steven Adams with Specialized Public Finance. Ms. Bonner stated that these bonds will fund the replacement of the radio communication system for public safety. She further stated the City would look at future budgets to fund the non-public safety department radios. Steven Adams stated this resolution would authorize the publication, but they cannot sell bonds until 30-days after the last publication. The publication states it will not exceed an amount of \$8,750,000. Motion was made that the following captioned resolution be passed by Councilmember Blake, seconded by Councilmember Burkett:

**RESOLUTION NO. 12-06-16-1
A RESOLUTION OF THE AMARILLO CITY COUNCIL, APPROVING AND
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION.**

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

Mayor Harpole recognized the first responders in the audience. He stated they currently lose communication when they go into buildings. He stated it was an honor to participate and protect the first responders. Chief Drain, Police Department, stated the radios are the life-blood of communication and he appreciated the Council taking this first step with good communication tools. Chief Greenlee, Fire Department, stated radios have been a long-standing problem and this will be a huge benefit.

ITEM 10: Mayor Harpole stated this item was to discuss and consider the compensation of the Interim City Manager. Councilmember Burkett stated the typically raise was 5%. He further suggested to re-evaluate the situation in 60-days. Mayor Harpole stated Mr. Cowell's current salary was \$172,500 and 5% would make it \$181,125. He asked Council to consider a 7% raise or \$1,000 a month. He further stated Mr. Cowell is accepting the Interim position and not being relieved of any of his current duties. If Mr. Cowell is not chosen, he would go back as his Deputy City Manager title. Motion was made by Councilmember Demerson to pay a 5% compensation increase, seconded by Councilmember Blake. Mayor Harpole asked Council to amend the motion to consider 7% or \$1,000 month. Councilmember Nair offered the amendment of 7%. Mr. McKamie stated the original motion would need to be amended by the person who made the first motion or the person who seconded the first motion. Councilmember Demerson stated he would not amend his original motion to 7%. Mayor Harpole asked to revisit this decision in 60-days if the City Manager position was not resolved quickly.

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

ITEM 11: 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. Approval -- Change Order No. 5 – Job# 521941: 24th Pipeline 48" Well Water Transfer Line:

Original Contract:	\$11,740,159.00
Previous Change Orders:	\$1,201,862.88
Current Change Order:	\$(42,104.76)
For a Total of Change Orders	\$1,159,758.12
Current Change Order Working Days Added:	58 Working Days
Total of Working Days Added:	187
Revised Contract:	\$12,899,917.12

This item approves Change Order No. 5 to the contract with Condie Construction Company, Inc. This change order consist of several additions and reductions to the contract. Including removing and adding driveways at several locations, repairs of water and sewer lines and credit for inspector overtime charges.

B. Approval -- Change Order No. 4 – Job 523005 – Replacement of WM in 45th Ave from Western St. to I-27:

Original Contract:	\$840,385.40
Previous Change Orders:	\$54,663.15 and 3 Days
Change Order No. 4:	\$5,800.00
For a Total of Change Orders:	\$60,463.15
Revised Contract:	\$900,848.55
Percent of Changes:	7.2%

This item approves Change Order No. 4 to the contract with Amarillo Utility Contractors. This change is for the Installation of 12" stopple during water main tie-in to keep customers in service during the tie-in from a 12" inch to 16" inch water main.

C. Approval -- Change Order No. 5 – Job 523005 – Replacement of WM in 45th Ave from Western St. to I-27:

Original Contract:	\$840,385.40
Previous Change Orders:	\$60,463.15
Change Order No. 5:	\$40,463.20
For a Total of Change Orders:	\$100,926.35
Revised Contract:	\$941,311.75
Percent of Changes:	12.0%

This item approves Change Order No. 5 to the contract with Amarillo Utility Contractors. This change is for adjust quantities due to field conditions.

D. Approval – Change Order No. 3 – Job # 521109: River Road Wastewater Treatment Plant Rehabilitation Project:

Original Contract:	\$2,638,609.00
Current Addendum:	\$253,606.00
Revised Contract Total:	\$2,995,133.00

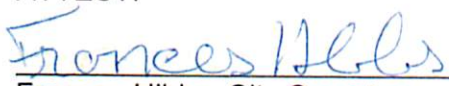
This item is to approve Change Order No. 3 to the River Road Wastewater Treatment Plant rehabilitation project as outlined in the change order.

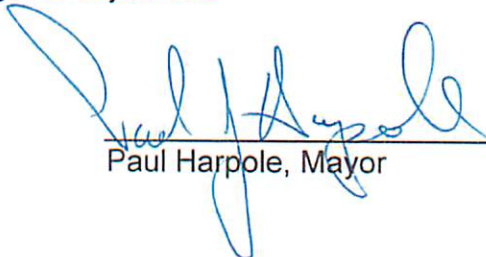
Mayor Harpole announced that this is the end of the regular agenda, but this time is reserved to hear from any citizen concerning matters pertaining to City policies, programs or services not on today's agenda. The public forum is set under the Open Meetings Act and that during the public forum the City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

David Beshman, 4600 Amarillo Boulevard East, stated he spoke in August to Kyle Schniederjan, City Engineer, and inquired about the DOT Safe City Project. Mayor Harpole replied as a statement of fact that the City was currently undergoing a study of the Transit system. Allen Finegold, 2601 North Grand Street, inquired as to what part of Texas state law authorized a TIRZ. Mr. McKamie replied it was Chapter 380. Mr. Finegold inquired as to what parts of the City could qualify as a TIRZ. He further proposed that the proposed baseball stadium go on I-40 and the indoor sports stadium be built on the former Coca-Cola property. Cheryl Austin, 166 Cliffside Drive, inquired about the dates for the public comment period regarding CDBG funds. She also inquired if the City still had contracts with SGR. Mayor Harpole replied yes. Ms. Austin stated difficulty in finding information on city projects. Mayor Harpole replied he would be happy to visit with her. Roger Patel, 112 Amarillo Boulevard West, inquired as to when demolition would start on the Amarillo Inn. He further asked what percentage of the HOT tax was used to promote Amarillo Boulevard or Route 66. There were no further comments.

Mayor Harpole advised that the meeting was adjourned.

ATTEST:


 Frances Hibbs, City Secretary


 Paul Harpole, Mayor