

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 20th day of January 2015, the Amarillo City Council met at 1:30 p.m. at City Hall on the third floor in Room 303 in the Conference Room for review of agenda items, and consideration of future agenda items.

The City Council met at 3:00 p.m. in regular session in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

PAUL HARPOLE  
ELLEN ROBERTSON GREEN  
BRIAN EADES  
RONALD BOYD

MAYOR  
COUNCILMEMBER NO. 1  
COUNCILMEMBER NO. 2  
COUNCILMEMBER NO. 4

Absent was Lilia Escajeda. Also in attendance were the following administrative officials:

JARRETT ATKINSON  
VICKI COVEY  
MARCUS NORRIS  
KELLEY SHAW  
FRANCES HIBBS

CITY MANAGER  
DEPUTY CITY MANAGER  
CITY ATTORNEY  
PLANNING DIRECTOR  
CITY SECRETARY

The invocation was given by Danny Fulton, Hillside Christian Church. Mayor Harpole also 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 of January 13, 2015. Motion was made by Councilmember Boyd; motion was seconded by Councilmember Eades, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance changing the zoning of a 3.16 acre tract of land, in Section 63, Block 9, BS&F Survey, Randall County, to change from Agricultural District to Moderate Density District in the vicinity of Hillside Road and Sonly Road. This is recommended for approval by a 7:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Eades, seconded by Councilmember Green, that the following captioned ordinance be passed on first reading:

**ORDINANCE NO. 7503**

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 HILLSIDE ROAD AND SONCY ROAD, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, and Boyd; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of a portion of Tract 1, Ben's Subdivision, a portion of Lot 1, Block 3, Ben's Subdivision Unit No. 27, a portion of Lot 2, Block 3, Ben's Subdivision Unit No. 29 and a portion of Lot 1B, Block 1, Ben's Subdivision Unit No. 34, all in Section 5, Block 9, BS&F Survey, Randall County, Texas, to change from Residential District 3 to General Retail District, in the vicinity of Bell Street and Farmers Avenue. This is recommended for approval by a 7:0 vote of the Planning and Zoning Commission. Motion was made by Councilmember Green, seconded by Councilmember Boyd, that the following captioned ordinance be passed

on first reading:

**ORDINANCE NO. 7504**

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 STREET AND FARMERS AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades, and Boyd; voting NO were none; the motion carried by a 4:0 vote of the Council.

**ITEM 4:** Mayor Harpole presented an ordinance to amend Chapter 8-2, of the Amarillo Municipal Code to provide for a nuisance and an additional offense for failure to comply with requirements for dangerous animals and providing for seizure procedures and disposition of a dangerous animal. This ordinance is recommended for approval by the Animal Management & Welfare Board. Motion was made by Councilmember Boyd, seconded by Councilmember Eades, that the following captioned ordinance be passed on second and final reading:

**ORDINANCE NO. 7502**

AN ORDINANCE OF THE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, ARTICLE I, SECTION 8-2-5 AND SECTION 8-2-10, PROVIDING FOR A NUISANCE AND AN ADDITIONAL OFFENSE FOR FAILURE TO COMPLY WITH REQUIREMENTS FOR DANGEROUS ANIMALS, AND PROVIDING FOR SEIZURE PROCEDURES AND DISPOSITION OF A DANGEROUS ANIMAL; 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 Green, Eades, and Boyd; voting NO were none; the motion carried by a 4:0 vote of the Council.

**ITEM 5:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 1414 South Cleveland Street. Motion was made by Councilmember Eades to select Options ii and v, seconded by Councilmember Green, that the following captioned resolution be passed:

**RESOLUTION NO. 01-20-15-1**

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.

Scott McDonald, Building Official was sworn in. Mr. McDonald stated the property at 1414 South Cleveland Street has been vacant since January 14, 2011. There have been no applications for permits to abate the nuisance. The property was originally posted with a condemnation placard on December 17, 2014. The property is a nuisance to the community and creates an unsafe environment. There are \$254.06 current taxes due on the property and there are \$13,144.92 delinquent taxes due for years 2004-2013. There has been no water service since December 31, 2012. The City has liens on the property in the amount of \$1,762.73. Dr. Eades inquired about the City's relationship with Potter County. Mr. Norris stated this was the notice procedure as required in State statute.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades and Boyd; the motion carried by a 4:0 vote of the Council.

**ITEM 6:** Mayor Harpole presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 305 South

Kentucky Street. Motion was made by Councilmember Green to select Options ii and v, seconded by Councilmember Boyd, that the following captioned resolution be passed:

**RESOLUTION NO. 01-20-15-1**

**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.**

Scott McDonald, Building Official, and Richard Peeples were sworn in. Mr. McDonald stated the property at 305 South Kentucky Street has been vacant since July 2010. The property was originally posted with a condemnation placard on December 17, 2014. The property is a nuisance to the community and creates an unsafe environment. There are \$479.84 current taxes due on the property and there are no delinquent taxes due. There are no city liens on the property. Mr. McDonald stated Mr. Peeples made an application for demolition in November 2014 but no action has taken place. Mr. Richard Peeples, stated he owned other rental properties. He stated the structure does need to be torn down and he requested help with the demolition. Mr. McDonald stated Mr. Peeples' only obligation were the current taxes due on the property. He estimated demolition to be in the \$2,000 to \$3,000 range. Mr. Atkinson stated that if the City went out to bid and the structure was taken down, Mr. Peeples would receive an invoice, and a lien would be filed against property. Mr. Peeples requested time to withdraw items from the property. Doug Mark (West), 307 South Kentucky, stated that if the Council issues an order, they must pay for the order.

Voting AYE were Mayor Harpole, Councilmembers Green, Eades and Boyd; the motion carried by a 4:0 vote of the Council.

**ITEM 7:** Mayor Harpole presented a protest to Bid #4784 – Medical Laboratory Testing. Mr. Atkinson stated the bid was presented late last year. He further stated that Council had two options, they could deny the protest or uphold the protest, cancelling the award to Clinical Pathology Lab (CPL). Ms. Charlyn Snow, Physicians Preferred Laboratory (PPL), 1515 South Bryan, stated she would be remise if she did not bring up some points: 1) timeframe on the bid process interface that is required; 2) to the non-health care person, \$100,000 is a lot of money, but in perspective it is fair market rates paid to Medicare; 3) bid requirement that the bid meets all requirements, one element in 3.1 states a certified phlebotomist. She noted the difference between a certified phlebotomist and a person who obtains a certificate of completion. She inquired if the City would require copies of certificates, so they can validate that they are certified phlebotomy technicians.

Mr. Atkinson stated the 3.1 specification does state once the contract is implemented. CPL will be held to the standard but they have to be given the opportunity; 3) fair market rate, the difference between Medicare and the private economy cannot be influenced; 2) interface, implementation side not required, until such time as a contract is issued. Hector Mendoza, 4019 South Aldredge Street, stated CPL stated it would take about four weeks to have the interface in place. Mr. Atkinson stated should a bidder not perform the contract would be taken away and the bidder disqualified. Motion was made by Councilmember Boyd to deny Bid No. 4784 protest, seconded by Councilmember Eades, the motion carried by a 4:0 vote of the Council.

**ITEM 8:** 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 Eades to approve the consent agenda, motion was seconded by Councilmember Green, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

**A. Award – Greenhouse for Women, Infants and Children (WIC) Program:  
Award to low responsive bidder: Walkcon LTD -- \$260,087.00**

This item awards a construction contract for a greenhouse for the Women, Infants and Children (WIC) Program. The greenhouse will be attached to the existing building at 411 South Austin Street. WIC participants will learn small space gardening techniques for vegetables and fruits. Funding for the project is available from a grant from the United States Department of Agriculture

passed through the Texas Department of State Health Services – WIC Program.

- B. Approval – Annual Advertising Contract:  
Amarillo Globe News & Morris Communications -- \$231,735.14

This item awards the annual contract for the City's advertising with the Amarillo Globe News & Morris Communications (AGN). The contract is based on retail contract rates for employment advertisements, legal notices, and other required publications and notices for all City departments. The annual contract reflects a slight decrease. Funding for the contract is available within the various departmental operating budgets.

- C. Approval – Liquid Oxygen Supply and Storage Annual Contract:  
Award to low responsive bidder: Airgas Southwest -- \$130,892.25

This item awards a one-year contract to supply liquid oxygen to be used at the Osage Potable Water Treatment Plant. Liquid oxygen is used to produce ozone to increase the efficiency and speed of the water treatment process. Under this contract, the supplier will provide and deliver the liquid oxygen product to the appropriate storage tanks as needed. The contract contemplates the purchase of approximately 525 tons of liquid oxygen. Funding for this purchase is in the approved Surface Water Treatment operating budget.

Mayor Harpole announced that this is the end of the regular agenda, but time is reserved to hear 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. There were no comments.

Mayor Harpole advised that the meeting was adjourned and the Council would return to Executive Session.

ATTEST:

Frances Hibbs  
Frances Hibbs, City Secretary

Paul Harpole  
Paul Harpole, Mayor