

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 17th day of April 2018, the Amarillo City Council met at 5:00 p.m. for the regular session in the Council Chamber located on the third floor of City Hall at 509 Southeast 7th Avenue, with the following members present:

GINGER NELSON
ELAINE HAYS
FREDA POWELL
HOWARD SMITH

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

Absent was Eddy Sauer, Councilmember No. 3. Also in attendance were the following administrative officials:

JARED MILLER
MICHELLE BONNER
BRYAN MCWILLIAMS
ANDREW FREEMAN
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
INTERIM CITY ATTORNEY
ECONOMIC DEVELOPMENT MGR.
CITY SECRETARY

The invocation was given by Herman Moore, Carter Chapel Primitive Baptist. Councilmember Hays led the audience in the Pledge of Allegiance.

A proclamation was presented for "Beta Sigma Phi Week."

Mayor Nelson established a quorum, called the meeting to order, welcomed those in attendance and the following items of business were conducted:

PUBLIC COMMENT:

Steven W. Pair, 7811 Legacy Parkway, encouraged Council to stay the course. He stated the values of the Panhandle are held dearly. He also encouraged the Council to work together toward a common goal, continue to work on the agenda, and the need for vision and leadership. He further stated he was excited about the direction of the city. Claudette Smith, 4410 Van Kriston Drive, stated Council has previously asked citizens to come to the meetings with the facts. She alleged that Council has broken the law, lost public trust and violated the Open Meetings Act. She further stated that the reference to a small group of people was far from factual. Mike Fisher, 4410 Van Kriston Drive, questioned using faith as a shield while the homeless are being evicted. Nicholas J. Corey, 3616 Southeast 30th Avenue, stated he has spoken previously about the homeless and asked Council to recognize the movement. He stated people are watching and listening. Rusty Tomlinson, 5700 Canyon Drive, spoke on the arrest of a man for clapping at a previous meeting. He stated the need to care about the homeless. He further spoke on civil disobedience. Denny Deaver, 4707 Princeton Street, stated the laws restricting outdoor camping are unconstitutional when enough shelters do not exist. He asked Council to rescind the anti-camping ordinance in Amarillo. James Schenck, 6216 Gainsborough Road, stated all good and bad government begins at the local level. He further stated previous Councils allowed for public comments on agenda items and stated clapping should be allowed. Dan Ferguson, 3807 Beaver Drive, Yellow City Community Outreach, stated they assist the chronically homeless. He stated the need to solve the homelessness problem through civic responsibility which encompasses many aspects. He further stated in order for some of the homeless to keep their food stamps they will begin cleaning up alleys. Michael Davis, 4210 South Polk Street, stated he was appalled listening to the way people have spoken to the Council and encouraged to enact more restrictions for disrespectfulness. He further called on this community to unity. Lee Jacobsen, 4203 Tulia Street, spoke about on the Madame Queen and the need to put together a committee much like the committee to be discussed for the Santa Fe Depot. He stated the Madame Queen was moved with volunteer funds and with the idea to make a small

museum, but instead they decided to try to get the locomotive running. He stated there was a need to look at the original plan for a small museum. Signed up but did not appear: Addie Walsh, 5816 Syracuse Drive and Matt Dietz, 5617 Shady Drive. Signed up but did not speak: Robert Goodrich, Kathie Altman and Noah Dawson. There were no further comments.

ITEM 1: Mayor Nelson presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Councilmember Powell to approval the consent agenda, seconded by Councilmember Smith.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

- A. **MINUTES:**
Approval of the City Council minutes of the regular meeting and special meeting held on April 3, 2018.
- B. **ORDINANCE NO. 7726:**
(Contact: AJ Fawver, Planning and Zoning Director)
This is a second and final reading of an ordinance providing for specified changes in the adopted Comprehensive Plan of the City of Amarillo, Texas by adding the Barrio Neighborhood Plan as a component; and providing an effective date.
- C. **CONSIDER APPROVAL OF ENVIRONMENTAL HEALTH DATA MANAGEMENT SOFTWARE FROM TYLER TECHNOLOGIES:**
(Contact: Shaun May, Environmental Health Director)
Award to Tyler Technologies: \$221,697 (cumulative 5-year contract)
The Digital Health Department (DHD) is an integrated software solution for Environmental Health regulatory functions. The software provides a web-based solution for conducting permitting and inspection activities specifically for Environmental Health programs. Purchase includes initial startup costs and years 1-5 hosting (paid annually).
- D. **CONSIDER AWARD – BRASS WATER FITTING SUPPLY AGREEMENT:**
(Contact: Trent Davis, Purchasing Agent)
Awarded to Ferguson Waterworks -- \$79,585.00
This item is to consider award of the annual Brass Water Fittings.
- E. **APPROVAL -- MEMORANDUM OF UNDERSTANDING BETWEEN AMARILLO POLICE DEPARTMENT AND AMARILLO COLLEGE POLICE DEPARTMENT:**
(Contact: Col. Martin Birkenfield, Assistant Police Chief)
This MOU provides for a mutual responsibility of Amarillo Police Department and Amarillo College Police Department for coordinated responses in the investigation of criminal activity and assisting in providing additional law enforcement officers and resources to protect the health, life and property of the individuals serviced by the Parties.
- F. **CONSIDER AWARD OF LED SIGNAL DISPLAYS FOR TRAFFIC SIGNAL HEADS:**
(Contact: Michael Padilla, Transportation Superintendent)
Trastar, Inc. -- \$103,517.20
These items will replace the current LED signal displays, red, amber, green, red arrow, amber arrow, green arrow and countdown pedestrian signals that were purchased in 2011 through a federally funded contract. These LED's are approaching their lifespan of seven (7) years. They need to be replaced before they go out. The federal contract replaced 1/3 of the City over a three-year period; this purchase is for 1/3 of the City's. LED Traffic Signal indications indicate to drivers what the color the light is.

G. CONSIDER AWARD – WAVETRONIX RADAR DETECTION:

(Contact: Michael Padilla, Transportation Superintendent)

Purchased off of State Contract

Awarded to Twincrest Technologies -- \$91,850.00

This item purchases the additional and replacement of traffic detections at five (5) intersections. One (1) new intersection and four (4) replacements of old outdated video detection. The radar detection picks up the movement of vehicles approaching the intersection and inputs a call to the controller to give a green light. Detection for signalized intersections is used at all signalized intersections in Amarillo. Radar technology is the newest and most advance detection. Radar detection has been found to work the best in Amarillo.

H. CONSIDER AWARD – SACKED CEMENT:

(Contact: Trent Davis, Purchasing Agent)

Awarded to:

A-1 Building Supply \$87,639.20

Tascosa Brick, Inc. \$1,881.60

Total \$89,520.80

This item is to consider award of the Sacked Cement Annual Supply Agreement.

I. CONSIDER APPROVAL OF EMERGENCY PUMP REPAIRS FOR ARDEN ROAD PUMP STATION:

(Contact: Russell Grubbs, Director of Utilities)

Ruhrphumpen, Inc. -- \$59,653.00

Pump #1 at Arden Road Pump Station needs to be repaired in the amount of \$59,653.00. Currently there are two of four pumps out of service and one more likely to fail. With summer approaching, we need to have at least two pumps operating to ensure a continuous supply of water to our customers. Currently we are investigating the root cause of the failures of the pumps. The turnaround time for repairs and re-installation is approximately 6-7 weeks.

J. PURCHASE – TROMMEL SCREEN:

(Contact: David Lehfeldt, Public Works Superintendent)

Award by HGAC Contract -- \$299,500.00

This item is the scheduled purchase of a Trommel Screen for the new compost facility. It will enable the Solid Waste Division to produce high quality finished compost that will be ready for use by city departments and for marketing through a vendor network.

K. CONSIDERATION AND POSSIBLE ACTION ON A DEDICATION:

This item is a dedication of 7,782 square feet and 2,166 square feet of Public Right-Of-Way located on portions of Lot 1, Block 1, Plemons Addition Unit No. 22, an addition to the City of Amarillo, in Sections 155 and 170, Block 2, AB&M Survey, Potter County, Texas. This dedication was reviewed and recommended for approval by a 4:0 vote from the Planning and Zoning Commission. (Vicinity: Southeast 8th Avenue and South Buchanan Street.)

ITEM 2: Mr. Danforth presented an update on the MPEV construction project. He stated they were still ahead of schedule. He stated they have started drilling the storm water pit. The rebar is onsite and in place. They will be ready for the retaining walls. The first base line is complete and steel should begin next week. The onsite dirt is bedding sand for the foundations and pipe that will be placed in the ground.

ITEM 3: Mayor Nelson presented the first reading of an ordinance rezoning of Lot 22B, Block 23, Glendale Addition Unit No. 26, 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 (GR) to General Retail District with Specific Use Permit 193 (GR/S-193) for a Shooting Range, Indoor. (Vicinity: Bell Street and Hillside Road.) This

item was presented by AJ Fawver, Planning Director. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned ordinance be passed:

ORDINANCE NO. 7727

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

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Nelson presented the first reading of an ordinance rezoning of Lot 7, Block 38, Lawrence Park Unit No. 69, in Section 227, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from General Retail (GR) to General Retail with Specific Use Permit 191 (GR/S-191) for on-premise alcohol sales and service. (Vicinity: Olsen Boulevard and Lometa Drive.) This item was presented by AJ Fawver, Planning Director. Mayor Nelson opened a public hearing. There were no comments. Mayor Nelson closed the public hearing. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that the following captioned ordinance be passed:

ORDINANCE NO. 7728

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 OLSEN BOULEVARD AND LOMETA DRIVE, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Nelson presented the first reading of an ordinance rezoning Lot 1J, Block 25, Sleepy Hollow Unit No. 95, in Section 41, 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 (GR) to General Retail District with Specific Use Permit 192 (GR/S-192) for on-premise primary use alcohol sales and service. This item was presented by AJ Fawver, Planning Director. Mayor Nelson opened a public hearing. There were no comments. Mr. Miller stated there was a letter of support submitted. Mayor Nelson closed the public hearing. Motion was made by Councilmember Smith, seconded by Councilmember Hays, that the following captioned ordinance be passed:

ORDINANCE NO. 7729

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 LAKE FRONT LANE AND SOUTHWEST 45TH AVENUE, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 6: Mayor Nelson presented a resolution approving the vacation of a 30' Public Utility Easement (PUE), located in a portion of Pinnacle Unit No. 2, located in Section 3, Block 9, BS&F Survey, Randall County, Texas. This vacation was reviewed and recommended for approval by a 5:0 vote from the Planning and Zoning Commission. (Vicinity: Meadow Ridge Drive and South Western Street.) This item was presented by AJ Fawver, Planning Director. Mr. Miller stated this item was Canyon ISD property. Motion was made by Councilmember Powell, seconded by Councilmember Hays, that the following captioned resolution be passed:

RESOLUTION NO. 04-24-18-1
A RESOLUTION OF THE CITY COUNCIL OF AMARILLO, TEXAS
VACATING A PUBLIC UTILITY EASEMENT.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 7: Mayor Nelson presented a resolution approving the City to adopt the proposed 2018 Community Risk Assessment/Standards of Cover as recommended by the Amarillo Fire Department. This item was presented by Jeff Greenlee, Fire Chief and Marc Lusk, Deputy Fire Chief. Motion was made by Councilmember Hays, seconded by Councilmember Smith, that the following captioned resolution be passed:

RESOLUTION NO. 04-24-18-2
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO,
TEXAS: A RESOLUTION APPROVING THE AMARILLO FIRE
DEPARTMENT COMMUNITY RISK ASSESSMENT/STANDARDS OF
COVER AND PROVIDING FOR AN EFFECTIVE DATE.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 8: Mayor Nelson stated the need to discuss appointments of a Council Subcommittee to evaluate the Santa Fe Depot uses. Mr. Miller stated the City acquired the Santa Fe Depot, which is approximately 20,000 square feet and another building which is 28,000 square feet of open area not currently being used. Several entities have expressed interest in the buildings. A subcommittee would evaluate and review the preferred course of action. Mayor Nelson inquired if Councilmember Smith and Hays would be interested in serving. Councilmember Powell stated she also had names of individuals they could contact. Motion was made by Councilmember Powell, seconded by Councilmember Smith, that Councilmember Howard Smith and Councilmember Elaine Hays be appointed to the Council Subcommittee to evaluate the Santa Fe Depot for possible uses.

Voting AYE were Mayor Nelson, Councilmembers Hays, Powell and Smith; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 9: Amarillo EDC Quarterly Updates. This item was presented by Barry Albrecht, President, Amarillo Economic Development Corporation. Mr. Albrecht spoke on the marketing and promotional support from Xcel. Ronnie Walker, Regional Manager of Xcel Energy stated Xcel created a program in 2016 for economic development. Xcel will have Certified Sites to focus on establishing real estate options for business attractions and expansion projects. Brian Jennings, Amarillo Economic Development Corporation stated Xcel is an acting partner for AEDC and the City for a common vision for our community. Councilmember Hays inquired if these sites would strictly be commercial. Mayor Nelson inquired if it stated local incentives. Councilmember Hays asked if this process was unique. Mr. Jennings stated it was a very economically thing to do. Mr. Albrecht thanked Xcel for their partnership. He stated there are site selectors that require Certified Sites. He stated they are great marketing tools and they have a great partnership with Xcel. He further presented a CenterPort Business Park Promotional Material video. He stated their strategic plan indicated we were losing the workforce so they hired a Workforce Coordinator, Sabrina Meck.

ITEM 10: Mr. McWilliams advised at 6:58 p.m. that the City Council would convene in Executive Session per Texas Government Code section 551.074, Section 551.087 – Discuss commercial or financial information received from an existing business or business prospect with which the City is negotiating for the location, retention or expansion of a facility, or for incentives the City is willing to extend, or financial information submitted by same – Project #17-10-01 (Manufacturing); and Section 551.074 - Discuss the appointment, employment, evaluation, reassignment, duties, and qualifications of a public officer or employee, in accordance with the Texas Open Meetings Act -- Discussion of City Manager Jared Miller's performance evaluation and compensation.

Mr. McWilliams announced that the Executive Session was adjourned at 8:41 p.m. and recessed the Regular Meeting.

ATTEST:



Frances Hibbs, City Secretary



Ginger Nelson, Mayor