

STATE OF TEXAS
COUNTIES OF POTTER
AND RANDALL
CITY OF AMARILLO

On the 14th day of March 2017, the Amarillo City Council met at 4:30 p.m. for a work session and then 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:

ELISHA DEMERSON
LISA BLAKE
RANDY BURKETT
MARK NAIR

COUNCILMEMBER NO. 1
COUNCILMEMBER NO. 2
COUNCILMEMBER NO. 3
COUNCILMEMBER NO. 4

Absent was Mayor Paul Harpole. Also in attendance were the following administrative officials:

JARED H. MILLER
BOB COWELL
MICK MCKAMIE
GWEN GONZALES
FRANCES HIBBS

CITY MANAGER
DEPUTY CITY MANAGER
CITY ATTORNEY
BUILDING SAFETY MANAGER
CITY SECRETARY

The invocation was given by Pastor B.F. Roberts. Mayor Pro Tem Nair and Boy Scouts led the audience in the Pledge of Allegiance.

Public Comment:

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

Jesse Pfrimmer, 5723 South Milam Street, inquired if the funding for Item 1E should be included in the operation budget for this service. Edith DiTommaso, 1613 Bowie Street #B, presented a petition to condemn acts of violence against houses of worship. Robert Goodrich, 4111 Stony Point, stated he would like to discuss the procedures followed for public comment. Mary London, 2012 Northwest 13th Avenue, stated problems with the public bus transportation. Kit Rudd, 6850 Grande Street, stated he had to disband the ice house camp yesterday. James Schenck, 6216 Gainsborough Street, stated more voice from the public was needed on the public forum process. He further inquired if Item 5, Tourism Public Improvement District was an additional tax. Mr. McKamie stated this item was a 2% assessment by the hotel owners. A board will be established on how those funds will be spent. Mr. Schenck also inquired as to the AEDC consultation group, and if citizens could give feedback. Mr. Cowell answered that the consultants were doing individual interviews. In order to assist the consultants, they were conducting focus group meetings with advisory groups, and the first community meeting would occur on March 30 at 6:00 p.m. Mr. Schenck further inquired as to who the advisory group members were. Councilmember Burkett also requested this information. Mr. Miller stated he would provide this information to Council. Alan Abraham, 7205 Southwest 35th Avenue, also inquired as to Item 5, Tourism PID. He asked if there were any market studies on the additional tax. He further suggested a new taxing district, a sports authority taxing district, like one in Midland. Mayor Pro Tem Nair stated the Tourism PID was up to a vote of the local hotel owners and will be managed by a board of hotel owners. Mr. McKamie stated there were only five cities in Texas that have a Tourism PID. Councilmember Burkett inquired if the funds could be used for other purposes. Mr. McKamie replied the funds would be collected and put into a separate account. There were no further comments.

ITEM 1: Mayor Pro Tem Nair presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Mayor Pro Tem Nair asked that the minutes be considered as a separate item. Motion was made by Councilmember Demerson to approve the minutes Item 1A; seconded by Councilmember Blake.

Voting AYE were Councilmembers Blake, Demerson and Burkett; voting NO were none; Mayor Pro Tem Nair abstained; the motion carried by a 3:0:1 vote of the Council.

Motion was made by Councilmember Burkett to approval of the consent agenda Items B-F, seconded by Councilmember Demerson.

- A. Minutes:
Approval of the City Council minutes of the regular meeting held on March 7, 2017.
- B. Award – Panasonic Toughbook Computers for Police Department:
Rugged Depot -- \$63,557.74
The purchase will replace 50 Panasonic Toughbook computers for the police department which have been in operation since 2010.
- C. Award – Palo Alto Maintenance:
Solid Border -- \$205,944.00
This purchase provides continued maintenance for the security solution that protects the City's IT systems and services.
- D. Award of Agriculture Pesticides and Chemical Annual Contract:
Awarded to:
- | | |
|---------------------------|-----------------|
| Harrell's LLC | \$10,745.94 |
| BWI Companies Inc. | 6,741.39 |
| Pro Chem Co. | 11,582.56 |
| Golf Enviro Systems LLC | 16,506.00 |
| Turf Care of Texas | 3,864.00 |
| Target Specialty Products | 825.94 |
| Winfield | <u>3,596.02</u> |
| Total Amount Awarded: | \$53,861.85 |
- This award is to approve an annual contract for the purchase of Agriculture Pesticides and Chemicals for the City of Amarillo.
- E. Purchase – 3-yard and 8-yard Solid Waste Dumpsters:
Awarded by Competitive Bid:
- | | |
|---------------------------|------------------|
| Lot #1 – 3-Yard Dumpsters | |
| Roll Offs of America/USA | \$69,300.00 |
| Lot #2 – 8-Yard Dumpsters | |
| Pro Form | <u>17,500.00</u> |
| Total Award | \$86,800.00 |
- This item is the scheduled replacement of Solid Waste Dumpsters that have reached or exceeded their useable life. This award will be used by the City of Amarillo Solid Waste Division for daily operational requirements.
- F. Approval – Water and Wastewater Cost of Service and Rate Study Contract:
Willdan Financial Services -- \$68,980.00
This item is to approve the Water and Wastewater cost of Service and Rate Study Contract.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 2: Mayor Pro Tem Nair presented the second and final reading of an ordinance amending Chapter 8-2 (Animals and Fowl), Amarillo Municipal Code, amending 8-2-1 defining "rooster," changing 8-2-4 increasing trap deposits to \$90.00, amending 8-2-9 requiring "current" rabies tag to be displayed, amending 8-2-10 limiting veterinarian offices in Potter and Randall Counties where a deemed dangerous animal can be sterilized and establishing an appeal bond, amending 8-2-55 to protect the personal identifying information for adopters, fosters, and rescue organizations to the extent allowed by law, and a new section prohibiting bestiality. Motion was made by Councilmember Demerson, seconded by Councilmember Burkett, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7656

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE AMARILLO MUNICIPAL CODE, CHAPTER 8-2, PROVIDING FOR THE DEFINITION OF A ROOSTER; AMENDING TRAP DEPOSIT FEE; PROVIDING FOR A CURRENT RABIES TAG; PROVIDING FOR STERILIZATION AND APPEAL BOND CONCERNING DANGEROUS ANIMALS; PROVIDING FOR CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION; ADDING BEASTIALITY AS A CRIMINAL OFFENSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 3: Mayor Pro Tem Nair presented a second and final reading of an ordinance rezoning Lots 7 and 8, Block 5, Amarillo Heights Unit No. 1, in Section 168, Block 2, AB&M Survey, Potter County, Texas, plus one-half of all bounding streets, alleys, and public ways to change from Manufactured Home (MH) to Multiple Family 1 (MF-1). (Vicinity: Northwest 14 Avenue and North Harrison Street.) Motion was made by Councilmember Burkett, seconded by Councilmember Blake, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7657

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 NORTHWEST 14 AVENUE AND NORTH HARRISON STREET, POTTER COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 4: Mayor Pro Tem Nair presented a second and final reading of an ordinance amending the Code of Ordinances in two respects. (1) Section 2-2-1 is amended to remove reference to the beginning time of Regular Meetings of the City Council, to reflect current practice of the Council to adjust meeting time to best serve the public. (2) References throughout the Code of Ordinances that retain "City Commission" are changed to "City Council" in accordance with the City Charter, as amended November 5, 2013. Motion was made by Councilmember Blake, seconded by Councilmember Demerson, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, TITLE II, SECTION 2-2-1, TO REFLECT CURRENT PRACTICE AND TO AMEND LEGAL REFERENCES; AMENDING THE MUNICIPAL CODE OF ORDINANCES TO REPLACE ALL REFERENCES TO THE CITY COMMISSION TO THE CITY COUNCIL IN ACCORDANCE WITH THE CITY CHARTER, AS AMENDED NOVEMBER 5, 2013; PROVIDING FOR CONTINUATION OF PRIOR LAW; SEVERABILITY; REPEALER; PROVIDING AN EFFECTIVE DATE.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 5: Mayor Pro Tem Nair presented a resolution supporting the proposed 2017 Legislation to amend Chapter 372, Local Government Code to enable the creation of a local Tourism Improvement District in Amarillo. Dan Quandt, 4719 Oregon Trail, stated this item was support for legislation. It seeks legislation approval and, if approved, as

soon as September, the lodging association group will come before Council and also ask to adopt bylaws. Motion was made that the following captioned resolution be passed by Councilmember Demerson, seconded by Councilmember Burkett:

RESOLUTION NO. 03-14-17-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMARILLO:
SUPPORTING PROPOSED 2017 LEGISLATION TO AMEND CHAPTER
372, LOCAL GOVERNMENT CODE, TO ENABLE THE CREATION OF A
LOCAL TOURISM IMPROVEMENT DISTRICT IN AMARILLO.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

ITEM 6: Mayor Pro Tem Nair presented a resolution conducting a public hearing on and considers ordering the removal of a substandard structure located at 1600 South Palo Duro Street. Mayor Pro Tem Nair closed the public hearing. Motion was made by Councilmember Demerson to table the vote on this issue for two weeks (March 28), to allow time to initiate a provisional permit and delay Council's deliberation of action; seconded by Councilmember Burkett:

RESOLUTION NO. 03-14-17

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, Deputy Building Official, Sam Silverman, and Hazel Smith were sworn in. Mr. Schuster stated the property at 1600 South Palo Duro Street consists of a fire damaged residential structure and accessory building which has recently colloapsed. There has been little effort to remove or repair this structure. 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 \$412.91 current taxes due and \$2,162.98 in delinquent taxes due on the property. There has been no water service since December 2012. The City has liens in the amount of \$686.27 due for mowing and cleanup. Mayor Pro Tem Nair asked if there was an owner, property owner or neighbor in attendance. Samuel Silverman stated he represented the Lender, Mr. Dodson. He was given notice from Mr. Dodgson about the proposed condemnation, but was not given instruction from his client on what he would like to do. Mr. Silverman stated the structure is in a foreclosure proceeding but it has not yet been recorded. Councilmember Demerson inquired if the City was notified of any construction inside the structure. Mr. Schuster stated there have not been any permits issued. Councilmember Burkett inquired if there are any cost estimates to rehab the structure. Hazel Smith, 407 North Georgia Street, stated she was interested in purchasing the property. Mr. McKamie advised Council that state law was applicable, and Council should complete this hearing. Council may postpone the vote, but additional testimony will not be allowed. There were no other comments.

Voting AYE were Councilmembers Blake, Demerson, Burkett and Nair; voting NO were none; the motion carried by a 4:0 vote of the Council.

Mayor Pro Tem Nair advised that the meeting was adjourned.

ATTEST:


Frances Hibbs, City Secretary


Mark Nair, Mayor Pro Tem