

STATE OF TEXAS  
COUNTIES OF POTTER  
AND RANDALL  
CITY OF AMARILLO

On the 15<sup>th</sup> day of November 2011, the Amarillo City Commission met at 1:00 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 Commission met at 3:00 p.m. in regular session in the Commission Chamber located on the third floor of City Hall at 509 E. 7th Avenue, with the following members present:

PAUL HARPOLE	MAYOR
ELLEN ROBERTSON GREEN	COMMISSIONER NO. 1
BRIAN EADES	COMMISSIONER NO. 2
LILIA ESCAJEDA	COMMISSIONER NO. 3
JIM SIMMS	COMMISSIONER NO. 4

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

JARRETT ATKINSON	CITY MANAGER
VICKI COVEY	ASSISTANT CITY MANAGER
DEAN FRIGO	ASSISTANT CITY MANAGER
MARCUS NORRIS	CITY ATTORNEY
KELLEY SHAW	PLANNING DIRECTOR
DONNA DERIGHT	CITY SECRETARY

The invocation was given by Gene Shelburne, Anna Street Church of Christ. Mayor Harpole led the Pledge of Allegiance.

A proclamation was presented for "National Hospice and Palliative Care Month" and "National Bible Week."

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 November 8, 2011. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, and unanimously carried, to approve the minutes.

ITEM 2: Mayor Harpole presented an ordinance amending Chapter 16-3-1002 (Schedule B) to reduce the maximum speed limit on Coulter Street between Southwest 45<sup>th</sup> Avenue to Hillside Road from 50 mph to 45 mph. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, that the following captioned ordinance be passed on first reading:

ORDINANCE NO. 7305

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 16-3, ARTICLE XXI, SECTION 16-3-1002, CHANGING THE MAXIMUM SPEED LIMIT ON A SEGMENT OF COULTER STREET; PROVIDING FOR SEVERABILITY, REPEALER, PENALTY, PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 3: Mayor Harpole presented an ordinance changing the zoning of a lot located in the vicinity of Coulter Street and Continental Parkway from Planned Development District 238 to Amended Planned Development for the purpose of allowing land uses that are allowed within a General Retail Zoning District. Mr. Atkinson gave a summation of last week's meeting and specifically noted that the ordinance for consideration today included the approved motion that was made to repeal the notation on the 1995 site

plan for PD 283, Phase II, stating “Amended Planned Development review required for area of Phase II prior to any development occurring.” He read the Amended Planned Development 238 C Development Standards included with the ordinance for the record. Those commenting on the zoning change were Matt Griffith, 4211 Palacio, Jerrell Jones, 8004 Monticello, David Russell, 6720 Sandie, Ed Veiga, 7602 Continental Parkway, Robert Merriweather, 7502 Continental Parkway, Brad Berlin, 7606 Continental Parkway, Mike Standefer, #11 Ryan Palmer Lane, Tom Schimpf, 4615 Van Winkle, Kathy Altman, 2105 S. Lipscomb, Paula Bliss, 4903 Cape Colony, Stephanie O’Brien, 7500 Continental, Randy Arceneaux, 7802 Continental Parkway, Kit Carter, 4919 Cape Colony, and Jimmy Hammons, 1514 S. Pierce. Comments were made concerning the zoning change and the possibility of an apartment complex being built on the property. Some of the remarks against the zoning change were the affect it would have on the quality of life for the neighborhood, concerns about privacy, decrease in property values, and increase in traffic.

Bob Garrett, #7 Willow Bridge Drive, appeared on behalf of the applicant. He stated that they have tried to address the concerns voiced by the property owners in the most acceptable way possible. Mayor Harpole stated that the City Staff and City Commission are trying to do what is best for all the property owners in this area.

Motion was made by Commissioner Eades, seconded by Commissioner Simms, to approve Ordinance No. 7304 with an addition on page four of the document in the Building Materials section in the first sentence be amended to include “and/or a durable concrete product such as EIFS or Stucco” and the amended sentence read as follows, “Building exterior walls shall consist of a minimum of 75 percent masonry and/or a durable concrete product such as EIFS or Stucco.” Commissioner Eades stated that the reason for this addition is because it is very important that this development be consistent with the properties in the area and there are homes in the area with those type products on them.

Commissioner Green made the motion to amend the Land Use section exclusions to include “no apartment complexes.” The motion died due to the lack of a second.

Commissioner Simms stated that they have tried to find a compromise that would allow the property to be developed and would also protect the homeowners in the area. Brad Berlin, 7606 Continental Parkway, Kit Carter, 4919 Cape Colony, Vicki Bryan, 5014 Aberdeen Parkway, and Mike Standefer, #11 Ryan Palmer Lane, appeared with concerns about the amendment to the motion. The concerns were about the use of EIFS and whether it is a durable product. There were no further comments.

Mayor Harpole called for a vote on the motion made by Commissioner Eades. Voting AYE were Mayor Harpole, Commissioners Eades, Escajeda and Simms; voting NO was Commissioner Green; the motion carried by a 4:1 vote of the Commission.

The following ordinance was passed on second and final reading:

ORDINANCE NO. 7304

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 COULTER STREET AND CONTINENTAL PARKWAY, RANDALL COUNTY, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

ITEM 4: Mayor Harpole presented an ordinance amending Chapter 16-3, Traffic, of the Amarillo Municipal Code modifying an existing public street from one-way vehicular traffic to two-way vehicular traffic as follows, South Taylor Street between S.E. 13<sup>th</sup> Avenue to S.E. 15<sup>th</sup> Avenue from the current one-way vehicular traffic designation to two-way vehicular traffic designation. Motion was made by Commissioner Green, seconded by Commissioner Simms, that the following captioned ordinance be passed on second and final reading:

ORDINANCE NO. 7303

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 16-3, ARTICLE XXI, SECTION 16-3-1001, SCHEDULE A, TO MODIFY AN EXISTING ONE WAY STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 5: Mayor Harpole presented a resolution nominating Bell Helicopter Textron, Inc. as a Qualified Business and Enterprise Project for economic development assistance under the Texas Enterprise Zone Act. Bell Helicopter was designated by the Amarillo City Commission as an Enterprise Project by Ordinance 6915 in February 2006 for a five (5) year period. Subsequent nominations may be made by resolution. As an Enterprise Project, Bell Helicopter will continue to be eligible for State sales tax refunds for taxable items purchased for Bell's Amarillo facilities and operations. The resolution does not obligate the City of Amarillo to provide any financial commitments or incentives to Bell Helicopter but provides City support to Bell Helicopter in its application for possible future State of Texas economic development assistance. Roger Williams appeared on behalf of Bell Helicopter and expressed appreciation to the City Commission for their consideration and nomination of Bell Helicopter as an Enterprise Project. Members of the City Commission expressed their gratitude to Bell Helicopter and its employees for the presence they have in Amarillo and the many ways they contribute to our city. Motion was made by Commissioner Simms, seconded by Commissioner Escajeda, that the following captioned ordinance be passed on second and final reading:

RESOLUTION NO. 11-15-11-1

A RESOLUTION OF THE CITY OF AMARILLO; AUTHORIZING THE CITY OF AMARILLO TO NOMINATE BELL HELICOPTER TEXTRON, INC. TO THE OFFICE OF THE GOVERNOR, ECONOMIC DEVELOPMENT AND TOURISM, THROUGH THE ECONOMIC DEVELOPMENT BANK ("BANK") FOR DESIGNATION AS A QUALIFIED BUSINESS AND ENTERPRISE PROJECT ("PROJECT") UNDER THE TEXAS ENTERPRISE ZONE PROGRAM UNDER THE TEXAS ENTERPRISE ZONE ACT, CHAPTER 2303, TEXAS GOVERNMENT CODE ("ACT").

Voting AYE were Mayor Harpole, Commissioners Green, Eades, Escajeda and Simms; voting NO were none; the motion carried by a 5:0 vote of the Commission.

ITEM 6: Mayor Harpole presented the consent agenda and asked if any item should be removed for discussion or separate consideration. Motion was made by Commissioner Escajeda, seconded by Commissioner Eades, and unanimously carried, to approve the consent agenda and authorize the City Manager to execute all documents necessary for each transaction.

- A. Award – Water Storage Tank Rehabilitation and Repainting Contract:  
Low responsive bidder: Horizon Brothers Painting, Inc. -- \$1,632,000.00

This is a contract to rehabilitate and repaint the one million gallon Osage Elevated Water Storage Tank and the 5 million gallon 34<sup>th</sup> Street Pump Station Ground Storage Tank. Included in the repairs will be modifications to the tanks to comply with current Texas Commission on Environmental Quality (TCEQ) and Occupational Safety and Health Administration (OSHA) standards. The Osage Elevated Tank will be repainted on both the interior and exterior surfaces and the 34<sup>th</sup> Street Tank will be repainted on the interior.

- B. Approval -- City of Amarillo Deferred Compensation Plan for Public Employees:  
This approves a separate deferred compensation plan for part-time or seasonal employees as required by the Omnibus Budget Reconciliation Act of 1990. The use of a defined deferred compensation plan by public employers is an alternative to the Social Security system which requires a matching contribution. The use of this Plan provides a significant budget savings for the City and is a benefit to seasonal and part-time employees.

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. The public forum is set under the Open Meetings Act and that during the public forum the City Commission can respond with a statement of fact, a statement of city policy or decide whether to place an item on a future agenda. Al Alford, 929 S. Milam, appeared concerning the answers to the questions he asked at last week's meeting. Mr. Atkinson advised him that he received the answers earlier in the day and would get a copy to him after he has reviewed the information. No one else appeared.

Mayor Harpole advised that the City Commission would reconvene to Closed Session and the meeting was adjourned.

ATTEST:

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Donna DeRight, City Secretary

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Paul Harpole, Mayor