

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
August 10, 2011**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, August 10, 2011 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Barbara Bass
Mayor Pro Tem: Sam Mezayek (absent)
Councilmembers: Martin Heines
Donald Sanders
Mark Whatley
Ralph Caraway (absent)
Jason Wright

City Manager: Mark McDaniel
City Attorney: Gary C. Landers
Deputy City Attorney: Steve Kean
Airport Manager: Davis Dickson
Human Resources Director: ReNissa Wade
Development Services Engineer: Michael Wilson
Director of Neighborhood Services: Brenda Johnson
Chief Financial Officer: Daniel Crawford
City Engineer: Carter Delleney
City Police Chief: Gary Swindle
Director of External Relations & Organizational Development: Susan Guthrie
Director of Parks and Recreation: Stephanie Rollings
Director of Planning and Zoning: Barbara Holly
Director of Vehicle Services: Russ Jackson
Budget/Internal Auditor: Keidric Trimble
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Wright.

MINUTES

Motion by Councilmember Sanders to approve the July 27, 2011 minutes; seconded by Councilmember Whatley; motion carried 5 - 0 & approved as presented

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 The following employee(s) were hired by the City of Tyler during the month of July 2011. We would like to take this opportunity to welcome these new employee(s).

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Kristi	Bass	Administrative Secretary	Airport
Timothy (TJ)	Henderson	Groundskeeper	Parks & Recreation

A-2 Request that the City Council recognize Kay Odom for her recent achievement in receiving the Texas Department of Aging and Disability Services (DADS) Vision Award in the wellness category at the annual DADS Volunteer Recognition Ceremony in Austin, Texas.

Mayor Bass presented Kay Odom with a plaque for her recent achievements in receiving the Texas Department of Aging and Disability Services Vision Award.

A-3 Request the City Council consider accepting the “Certificate of Distinction” awarded for its Investment Policy from the Government Treasurer’s Organization of Texas.

Mayor announced Max Cabell as Mayor for the Day.

PRESENTATIONS

P-1 Request that the City Council consider receiving a presentation from the Transit Department regarding the route improvements and updated schedules effective August 15, 2011.

Heather Nick, Transit Manager – Gave a brief presentation on the Transit Department regarding the route improvements and updated schedules.

P-2 Request that City Council consider receiving a presentation of the Fiscal Year 2011–2012 Proposed Budget, then consider voting to schedule a public hearing on the proposed budget and the proposed property tax rate to occur during the August 24, 2011 regular City Council Meeting and to consider including the proposed property tax rate and the final fiscal year 2011-2012 budget as agenda items for the September 14, 2011 regular City Council meeting.

Motion by Councilmember Whatley to schedule a public hearing on the proposed budget and the proposed property tax rate to occur during the August 24, 2011 regular City Council Meeting and to consider including the proposed property tax rate and the final fiscal year 2011-2012 budget as agenda items for the September 14, 2011 regular City Council meeting; seconded by Councilmember Heines motion carried 5 - 0 & approved as presented.

RESOLUTION

- R-1** Request that the City Council consider adopting a Resolution ratifying submission of an application for and authorizing acceptance of State Energy Conservation Office (SECO) Grant Funds totaling \$100,000 to assist with the Alternative Fuels Initiatives for the Compressed Natural Gas Pilot Program. (R-2011-24)

Motion by Councilmember Heines; seconded by Councilmember Wright; motion carried 5 - 0 & approved as presented.

ORDINANCE

- O-1** Request that the City Council consider approving an Ordinance adopting the Community Development Block Grant (CDBG) and HOME Programs FY 2011-2012 Annual Plan, and Reprogramming of 2010-2011 HOME Program funds. (O-2011-60)

Motion by Councilmember Sanders; seconded by Councilmember Whatley; motion carried 5 - 0 & approved as presented.

MISCELLANEOUS

- M-1** Request that the City Council consider authorizing the City Manager to award the 2011 Runway 4/22 Safety Area Improvement Project at Tyler Pounds Regional Airport to Reynolds & Kay, Ltd., in an amount not to exceed \$4,309,110.76 and recommend that the Half Cent Sales Tax Board authorize the five percent local share totaling \$215,455.54. ©

Motion by Councilmember Heines; seconded by Councilmember Whatley; motion carried 5 - 0 & approved as presented.

- M-2** Request that the City Council consider authorizing the City Manager to execute Work Order No. 17 for construction administration and inspection services with Wisenbaker, Fix and Associates for the 2011 Runway 4/22 Safety Area Improvement Project at Tyler Pounds Regional Airport in an amount not to exceed \$333,000, and for the Half Cent Sales Tax Board to consider funding the maximum local obligation of \$16,650. ©

Motion by Councilmember Heines; seconded by Councilmember Whatley; motion carried 5 - 0 & approved as presented.

CONSENT

(These items are considered to be routine or have been previously discussed, and can be approved in one motion, unless a Council Member asks for separate consideration of an item).

C-A-1 Request that the City Council consider a resolution to authorize continued participation with the Steering Committee of Cities Served by Oncor and authorizing the payment of 10 cents per capita to the Steering Committee. (R-2011-25)

C-A-2 Request that the City Council consider adopting a Resolution agreeing to the sale of a certain tract of land located at 1312 Conally, 2913 Chandler, and Oakwood & Grand Street within the City of Tyler city limits and owned by taxing entities including the City of Tyler, Trustee. (R-2011-26)

C-A-3 Request the City Council consider adopting an Ordinance approving a negotiated Ordinance between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and ATMOS ENERGY CORP., MID-TEX DIVISION (Atmos MID-TEX" or "company") regarding the company's Fourth Annual rate review mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; Requiring the company to reimburse cities' reasonable ratemaking expenses; repealing conflicting Resolutions or Ordinances; determining that this ordinance was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring Delivery of this Ordinance to the company and The Steering legal counsel. (O-2011-61)

C-A-4 Request that the City Council consider authorizing the City Manager to purchase five Ford F150 Extend Cab Trucks for a total purchase of \$94,461.75.

Motion by Councilmember Heines; seconded by Councilmember Sanders; motion carried 5 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. CIP Update

RECESS FOR EXECUTIVE SESSION - Not needed today

As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:

-under section 551.071 "Litigation" deliberation regarding the following:

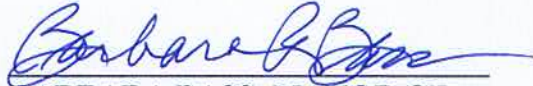
1. Possible contemplated litigation involving TTUC (Algonquin)
2. Possible contemplated litigation involving Guinn Farms subdivision street conditions

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above

August 10, 2011

ADJOURNMENT

Motion by Councilmember Whatley to adjourn the meeting at 10:03 am; seconded by Councilmember Heines motion carried 5 - 0 & meeting adjourned.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

