

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
August 13, 2014**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, August 13, 2014 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

Mayor:	Martin Heines
Mayor Pro Tem:	Darryl Bowdre
Councilmembers:	Mark Whatley Sam Mezayek Edward Moore John Nix Don Warren
City Manager:	Mark McDaniel
Asst. City Manager:	Susan Guthrie
City Attorney:	Deborah G Pullum (absent)
Deputy City Attorney:	Steve Kean
Senior Asst. City Attorney:	Sharon Roberts
Asst. City Attorney:	Terrance Garmon
Airport Manager:	Davis Dickson
Director for Innovation:	Guillermo Garcia
Managing Director for Administration and Human Resources:	ReNissa Wade
Manager for Organizational Development:	Kristi Boyett
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
Managing Director for Public Safety & Police Chief:	Gary Swindle
Director of Parks and Recreation:	Stephanie Rollings
Internal Auditor:	Jon Grundy
Director of Solid Waste:	Russ Jackson
Vehicle/Equipment Services Manager:	Leroy Sparrow
Director of Planning:	Heather Nick
Water Quality and Production Manager:	Jimmie Johnson
Water Business Office Manager:	Jim Yanker
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

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INVOCATION

The Invocation was given by Pastor, Danny Loeffelhol of Grace Community Church.

Mayor for the Day – Mayor Heines introduced Mayor for the Day Quinn Boozer. Mayor for the Day Quinn Boozer gaveled the meeting to order.

MINUTES

Motion by Councilmember Whatley to approve the July 23, 2014 minutes; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognitions

The following employees were hired by the City of Tyler during the month of July, 2014. We would like to take this opportunity to welcome these new employees.

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Marlon	Pacheco	HR Representative	Human Resources
Ashley	Thuresson	Circulations Technician PT	Library
Dee	Wilson	Circulations Technician Sub	Library
Cinthia	Gauna	Clerk	Neighborhood Services
Paul	Cicero	Laborer	Parks & Recreation
Kelby	Free	PS Telecommunicator II	Police
Spencer	McGregor	PS Telecommunicator II	Police
Andrew	Stanford	PS Telecommunicator II	Police
Phyllis	Still	Senior Secretary	Police
Arturo	Zavala	Laborer	Storm Water
Joseph	Snyder	Equipment Operator II	Streets
Gavin	Booker	Bus Driver Part-Time On-Call	Transit
Benjamin	Lee	Bus Driver Part-Time On-Call	Transit
Kenneth	Acker	Westside Plant Operator II	Wastewater Treatment
Cortney	Sohl	Plant Operator II SSWTP	Wastewater Treatment
Tracie	McCoy	Customer Service Rep	Water Business Office

PRESENTATIONS

P-1 Request that the City Council consider receiving a presentation of the Fiscal Year 2014-2015 Proposed Budget, consider voting to place proposals to adopt the property tax

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rate of \$.220000 cents and adopt the final Fiscal Year 2014-2015 Budget as action items for the September 24, 2014 regular City Council meeting, and consider voting to schedule public hearings on the proposed property tax rate and the proposed budget on the agendas for the August 27 and September 10, 2014 regular City Council meetings.

Motion by Councilmember Whatley to adopt the property tax rate of \$.220000 cents and adopt the final Fiscal Year 2014-2015 Budget as action items for the September 24, 2014 regular City Council meeting ; seconded by Mayor Pro Tem Bowdre; motion carried 7 - 0 & approved as presented.

Motion by Councilmember Whatley to consider voting to schedule public hearings on the proposed property tax rate and the proposed budget on the agendas for the August 27 and September 10, 2014 regular City Council meetings ; seconded by Mayor Pro Tem Bowdre; motion carried 7 - 0 & approved as presented.

CONSENT Councilmember Whatley exits and abstains from consent agenda items.
(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 authorizing the City Manager to sign a "Letter of Engagement for Professional Audit Services" with Henry & Peters, PC to perform the Fiscal Year 2013-2014 Comprehensive Annual Financial Audit.

C-A-2 Request that the City Council consider adopting a Resolution officially requesting that the Texas Department of Transportation (TxDOT) declare certain public right-of-way located near the corner of State Highway 31 and Loop 323 to be surplus, requesting that TxDOT remove said property from its system, and requesting that TxDOT quitclaim its interest in the property to the City of Tyler.



C-A-3 Request that the City Council consider authorizing the City Manager to execute renewal of the Metropolitan Planning Organization operating contract between the Texas Department of Transportation and the City of Tyler, Texas, which is the designated fiscal agent.

C-A-4 Request that the City Council consider ratifying staff action approving the construction contract for the Pleasant Retreat Drainage Project in the amount of \$58,785 to Reynolds and Kay, Ltd.

C-A-5 Request that the City Council consider authorizing the City Manager to apply for and accept eighth year funding under the Comprehensive Traffic Enforcement Grant Program administered by the Texas Department of Transportation (TXDOT).



C-A-6 Request that the City Council consider ratifying staff action in the approval of a contract with Apex Geoscience, Inc. in the amount of \$32,858 for additional full-

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time construction inspection services for the Village at Cumberland Park Phase III project.

C-A-7 Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order and final payment and release of retainage in the amount of \$76,141.50 to Reynolds and Kay, Ltd. for repair of a 12-inch sanitary sewer main.

C-A-8 Request that the City Council consider authorizing the City Manager to award multiple vendors for the annual price agreement for oils and lubricants per Bid No. 14-030.



C-A-9 Request that the City Council consider ratifying staff action for the purchase of parking meter upgrades from Duncan Parking Technologies for the Downtown Business District.

Motion by Mayor Pro Tem Bowdre to approve the entire consent agenda; seconded by Councilmember Moore; motion carried 6-0-1 & approved as presented.

Councilmember Whatley returns

CITY MANAGER'S REPORT

1. Monthly CIP Report, including R.R. Quiet Zone
2. City Manager publicly thanked City Council for friendship and working together.

Mayor Heines thanked City Manager Mark McDaniel for his leadership and years of service to the community.

RECESS FOR EXECUTIVE SESSION City Council convened into executive session at 9:37 am

Executive Item No. 1:

Under Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following:

- The appointment and duties of an Interim City Manager until appointment of a replacement City Manager.
- The employment and duties of a replacement City Manager.

Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from executive session at 11:10 am.

Request that the City Council consider appointment of Interim City Manager until appointment of replacement City Manager.

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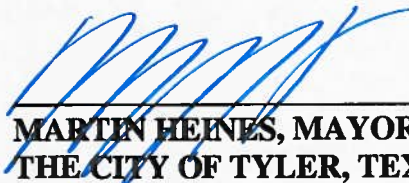
Motion by Councilmember Mezayek to appoint Assistant City Manager, Susan Guthrie as the Interim City Manager to serve for a term beginning August 19, 2014, and ending upon the appointment of a replacement City Manager; and that said Interim City Manager will receive an interim base salary in the amount of \$156,000 annually only during the time that the appointee serves as Interim City Manager. Upon the appointment of a replacement City Manager, the appointee's base salary will revert back to their prior base salary amount which existed on August 12, 2014. All other compensation and benefits including car allowance will remain the same as they existed on August 12, 2014, prior to the interim appointment; and that said Interim City Manager shall exercise all executive and administrative authority as established by the City Charter, City Code and all other laws; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

Mayor Heines stated that newly appointed Interim City Manager Susan Guthrie had agreed not to seek the replacement City Manager position.

Mayor Heines also announced that it was the City's intent to hire an outside search firm to assist in the hiring of the replacement City Manager, and that the City Council would vote on the selection of such a firm at a future meeting.

ADJOURNMENT

Motion by Councilmember Mezayek to adjourn the meeting at 11:15 am; seconded by Councilmember Whatley; motion carried 7 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

