

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 13, 2016**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 13, 2016 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:	Edward Moore
Councilmembers:	Mark Whatley Linda Sellers Darryl Bowdre John Nix Don Warren
City Manager:	Edward Broussard
Asst. City Manager:	Susan Guthrie
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Managing Director for Administration:	ReNissa Wade
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
Director of Planning:	Heather Nick
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
City Clerk:	Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Bowdre.

MINUTES

Motion by Councilmember Whatley to approve the March 23, 2016 minutes; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 Service Awards

We would like to recognize the following employees for their years of service and commitment to the City of Tyler. At this important milestone, we express our sincere appreciation for your dedication and for the special contribution you make to our organization. These employees represent over **460** years of service with the City of Tyler.

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Service Awards

Date of Hire	First Name	Last Name	Title	Department	Years of Service
1/2/1996	Stacey	Collum	Data Management Supervisor	Police	20
1/4/1996	Bud	Barrett	Driver/Engineer III	Fire	20
1/8/1996	Doug	Stapleton	Fire Captain III	Fire	20
1/4/1996	Michael	Frost	Fire District Chief I	Fire	20
1/15/1996	Ralph	Buckingham	Police Officer X	Police	20
1/8/1996	Mark	Lee	Police Officer X	Police	20
2/11/1991	Wayne	Allen	Police Officer X	Police	25
2/11/1991	John	Ragland, Jr.	Police Officer X	Police	25
4/1/1991	Jeffery	Rackliff	Police Sergeant IV	Police	25
2/17/1986	Kenneth	Langley	Fire Captain III	Fire	30
2/17/1986	David	Culpepper	Fire Captain IV	Fire	30
2/17/1986	Tim	McCawley	Fire District Chief II	Fire	30
2/2/1981	James	Pike	Asst. Fire Chief II	Fire	35
2/2/1981	Anthony	Gumber	Driver/Engineer IV	Fire	35
2/2/1981	Mike	Nipp	Fire Captain III	Fire	35
2/21/1981	Ross	Hamilton	Fire Captain IV	Fire	35
2/2/1981	Tim	Johnson	Fire Chief	Fire	35

A-2 New Hires Recognitions

The following employees were hired by the City of Tyler during the month of March 2016. We would like to take this opportunity to welcome these new employees.

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Lacy	Humes	Permit Technician	Building Services
James	Martin	Building Inspector	Building Services
Quincy	Manning	HR Representative	Human Resources
Diana	Valle	Deputy Court Clerk	Municipal Court
Christopher	Austin	Laborer	Parks
David	Garces	Laborer	Parks
Johnny	Gonzales	Groundkeeper	Parks
Tharani	Krishnakumar	Planner	Planning
Braylon	Barnes	Police Recruit	Police
Ronald	Freeman, II	Police Recruit	Police
John	Hebert	Police Recruit	Police
Charles	Johnson, Jr.	Police Recruit	Police
James	Gibson	Utility Locator	Water Distribution

ZONING

Z-1 Z03-16-021 MCK CONSTRUCTION, LLC (OAKWAY DRIVE AND CAMBRIDGE ROAD)

Request that the City Council consider approving a zone change from “R-1A”, Single-Family Residential District to “PUR”, Planned Unit Residential District with final site plan. (O-2016-30)

Motion by Councilmember Whatley; seconded by Councilmember Warren; motion carried 6 - 1 & approved as presented. (Councilmember Nix oppose)

ORDINANCE

O-1 ZA01-16-001 UNIFIED DEVELOPMENT CODE

Request that the City Council consider approving an ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by revising the Billboard Registration Fee. (O-2016-31)

Motion by Councilmember Whatley; seconded by Mayor Pro Tem Moore; motion carried 7 - 0 & approved as presented.

MISCELLANEOUS

M-1 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2016 Asphalt Enhancement Program to the lowest bidder, Reynolds & Kay, Limited, in the amount of \$3,457,908.01

Motion by Councilmember Nix; seconded by Councilmember Bowdre; motion carried 7 - 0 & approved as presented.

M-2 Request that the City Council consider accepting various donations to the Innovation Pipeline Program.

Motion by Councilmember Warren; seconded by Councilmember Nix; motion carried 7 - 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 ratifying staff action approving the service agreement with Oncor for the Palace, 26th, and Grand project in the amount of \$93,753.74.

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- C-A-2** Request that the City Council consider ratifying staff action approving a declaratory judgement action for the property at 804 West 26th Street in relation to the Palace, 26th, and Grand project.
- C-A-3** Request the City Council consider adopting a Resolution authorizing the Tyler City Manager on behalf of the Police Department to apply for and accept JAG Grant funding from the East Texas Council of Governments in the amount of \$63,956.00 to partially fund a Gang Officer Position in budget year 2015/2016. (R-2016-9)
- C-A-4** Request that the City Council consider authorizing the City Manager to accept an Architectural Proposal from Fitzpatrick Architects in the amount of \$78,725 for architectural and engineering plans for the Bergfeld Park Amphitheater Renovation.
- C-A-5** Request that the City Council consider approving a resolution reserving the right to reimburse expenditures with proceeds of future debt related to the Hwy. 31 Lift Station project. (R-2016-10)
- C-A-6** Request that the City Council consider authorizing the City Manager to execute an Agricultural Lease with Mr. Larry E. Tomlinson for a 19.72 acre tract of land at Lindsey Park.
- C-A-7** Request that the City Council consider authorizing the City Manager to declare certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and ready to be auctioned.
- C-A-8** Request that the City Council consider adopting a Resolution agreeing to provide defense and indemnity to certain City employees who are defendants in a lawsuit brought against them as a result of actions taken as City employees. (R-2016-11)

Motion by Councilmember Bowdre; seconded by Mayor Pro Tem Moore; motion carried 7 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. School is Cool program received a \$5,000 grant from the Junior League.
2. Walking Tour for Oakwood Cemetery.
3. The City has hired SGR Consulting to search for a Fire Chief, search will be four to five months.
4. Budget corrections and making modifications.
5. CIP report update

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:45 am.

Executive Item No. 1:

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Under Tex. Gov't Code Section 551.072 "Real Estate" deliberation regarding the following:

Discuss the purchase, exchange, sale, lease or value of real property, the public discussion of which would have a detrimental effect on the negotiating position of the City, related to the development of municipal facilities.

Executive Item No. 2:

Under Tex. Gov't Code section 551.087 "Economic Development" deliberation regarding the following:

Possible offer of financial or other incentive to a prospect, and to consider financial and other information about that prospect/project with which the City is conducting economic development negotiations that could lead to a partnership in Tyler.

Executive Item No. 3:

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

The appointment and duties of a Police Chief Designate to serve until the effective retirement date of current Police Chief.

Motion by Councilmember Nix to appoint Asst. Police Chief Jimmy Toler as Police Chief Designate until Chief Swindle retires. Then after Chief Swindle leaves then Jimmy Toler will be Chief of Police; seconded by Councilmember Warren; motion carried 7-0.

Executive Item No. 4:

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

The employment, duties, and evaluation of the City Manager.

Executive Item No. 5:

Under section 551.071 "Litigation" deliberation regarding the following:

Pending or contemplated litigation involving the EPA.

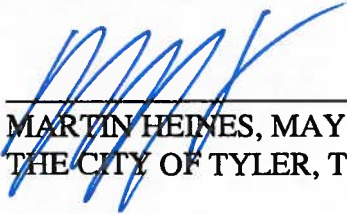
City Council reconvened from executive session at 10:52 am with no action taken.

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


ADJOURNMENT

Motion by Councilmember Whatley to adjourn the meeting at 10:52 am; seconded by Mayor Pro Tem Moore; motion carried 7 - 0 & meeting adjourned.

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MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

