

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
March 25, 2015**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, March 25 2015 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:	Edward Broussard
Asst. City Manager:	Susan Guthrie
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Airport Manager:	Davis Dickson
Director for Innovation:	Guillermo Garcia
Main Street Director:	Beverly Abell
Managing Director for Administration:	ReNissa Wade
Manager for Organizational Development:	Kristi Boyett
Development Services Engineer:	Michael Wilson
Neighborhood Services Manager:	Brenda Johnson
Chief Financial Officer:	Keidric Trimble
Chief Information Officer:	Benny Yazdanpanahi
City Engineer:	Carter Delleney
City Fire Chief:	Tim Johnson
City Librarian:	Mary Vernau
Code Enforcement Manager:	Chris Lennon
Managing Director for Public Safety & Police Chief:	Gary Swindle
Director of Parks and Recreation:	Stephanie Rollings
Transit Manager:	Heather Bolestridge
Internal Auditor:	
Director of Solid Waste:	Russ Jackson
Vehicle/Equipment Services Manager:	Leroy Sparrow
Senior Public Relations Specialist:	Serena Butcher
Director of Planning:	Heather Nick
Water Quality and Production Manager:	Jimmie Johnson
Water Business Office Manager:	Jim Yanker
Municipal Court Administrator:	Cam McCabe
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
Street Department Manager:	Robin Smart
Traffic Engineer:	Peter Eng
City Clerk:	Cassandra Brager

March 25, 2015

INVOCATION

The Invocation was given by Mayor Pro Tem Bowdre.

MINUTES

- a. Minutes of the Regular Called Meeting of the City of Tyler, Texas on February 25, 2015.

Motion by Councilmember Whatley to approve the February 25, 2014 minutes; seconded by Councilmember Mezayek; motion carried 7 - 0 & approved as presented.

- b. Minutes of the City of Tyler Joint Meeting of the Boards of Directors of the Reinvestment Zone Number Two (#2), Reinvestment Zone Number Three (#3) and Tyler Development Authority on February 25, 2015. **Item Withdrawn**

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognition

The following employee(s) were hired by the City of Tyler during the month of February through March 2, 2015. We would like to take this opportunity to welcome these new employee(s).

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Jeremy	English	It Specialist IV	IT
Clayton	Walker	Public Service Officer	Police
Juleann	Ethridge	Senior Secretary	VES
Tiedemann	Samantha	GIS Technician II	GPA
Ja'Nieka	Forward	Receptionist/Greeter	HR
Julie	Harris	Animal Shelter Technician	Animal Shelter
Kristin	Kingma	Animal Shelter Technician	Animal Shelter
Chelsey	Bernardelli	Arborist/Urban Forester	Parks

ZONING

Z-1 201-15-025 BROOKS INVESTMENTS AND PROPERTIES LLC (826 BUCKLEY AVE. AND 825 TUBBS ST.)

Request that the City Council consider approving a zone change from "R-1B," Single-Family Residential District and "R-2," Two-Family Residential District, to "PXR," Planned Mixed Residential District with final site plan. (O-2015-27)


Motion to untable item by Councilmember Whatley; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

March 25, 2015


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

- Z-2 Z03-15-036 CRAIG KLAASSEN (1707 SUSAN DR.)**
Request that the City Council consider approving a zone change from "AG," Agricultural District, to "PXR," Planned Mixed Residential District, with final site plan. (O-2015-28)

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

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- Z-3 Z03-15-37 BERT POWELL (215 SOUTH VINE AVE. AND 626 WEST ELM ST.)**
Request that the City Council consider approving a zone change from "R-MF," Multi-Family Residential District, to "AR," Adaptive Reuse District. (O-2015-29)

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

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- Z-4 Z03-15-038 MARK WALLIS (1038 SOUTH FLEISHEL AVE.)**
Request that the City Council consider approving a zone change from "R-MF," Multi-Family Residential District, to "RPO," Restricted Professional Office District. (O-2015-30)

Motion by Councilmember Warren; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

- Z-5 F03-15-058 REED NO. 2 ADDITION, FINAL PLAT**
Request that the City Council consider approving a plat for a two lot subdivision containing approximately 0.17 acres of land located west of the intersection of East Lake Street and South Tipton Avenue, and a waiver of escrow in the amount of \$2,455 for street improvements to East Lake Street.

Motion by Councilmember Warren to approve the item along with the waiver; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

PRESENTATIONS

- P-1 Request that the City Council consider hearing a presentation and approving the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2014, as presented by Henry & Peters, P.C.**

Jana Broussard, Henry & Peters, P.C. – Gave a brief presentation on the Comprehensive Annual Financial Report for the fiscal year ending on September 30, 2014

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

March 25, 2015

RESOLUTION

- R-1 Request that the City Council consider adopting a Resolution opposing Senate Bill 182 and any other legislation which would limit local control or impose a revenue cap on the City of Tyler. (R-2015-7)**

Motion by Councilmember Whatley to oppose Senate Bill 182 as proposed; seconded by Councilmember Moore; motion carried 7 - 0 & approved as presented.

- R-2 Request that the City Council consider adopting a resolution authorizing the filing of an application with the Texas Parks and Wildlife Department (TPWD), for a Local Parks Grant and authorizing the City Manager to take all actions needed to receive and expend grant funds. (R-2015-8)**

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

ORDINANCE

- O-1 Request that the City Council consider adopting an ordinance canceling District Three and District Five Election scheduled for May 9, 2015, and declaring the unopposed candidates for District Three and District Five elected to office. (O-2015-31)**

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

- O-2 Request that the City Council consider adopting an ordinance amending Tyler City Code Chapter 8, Article I, Section 8-3, in order to amend the guidelines for naming and renaming park facilities. (O-2015-32)**

Motion by Councilmember Warren; seconded by Councilmember Whatley; motion carried 7 - 0 & approved as presented.

- O-3 Request that the City Council consider adoption of an ordinance amending Tyler City Code Chapter 17 to clarify and streamline the process and fees for obtaining right-of-way use easements, temporary street or lane closures and parade permits; providing for penalties, and re-numbering certain sections. (O-2015-33)**

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

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to advertise the request for qualifications for a design-build firm for the plan and construction of a hotel and conference center.**

March 25, 2015

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

- M-2** Request that the City Council consider authorizing the City Manager to award the construction for the 2014-2015 Community Development Block Grant (CDBG) Curb and Gutter Improvements to the low bidder, Crown Civil Construction.

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

- M-3** Request that the City Council consider authorizing the City Manager to execute interlocal agreements by and between Smith County and the City of Tyler providing for the County's participation in the Downtown Tax Increment Reinvestment Zone No. 2 and the North End Tax Increment Reinvestment Zone No. 3.

Motion by Mayor Pro Tem Bowdre; seconded by Councilmember Mezayek; 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 adopting a resolution to support an affordable housing tax credit project proposed by Tyler Housing Partners, Ltd., a subsidiary of NuRock Companies, at the corner of Frankston Highway and Earl Campbell Parkway. (R-2015-9) Item considered separate of Consent Agenda

Dan Allgeier, NuRock Companies – Gave a brief presentation and explained to City Council that this item was just a support item and he was not here for financial support.

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

- C-A-2** Request that the City Council consider amending the tax abatement agreement to add an additional year with Hood Flexible Packaging Corporation, and authorizing the City Manager to sign all documents necessary to implement the tax abatement amended agreement.

- C-A-3** Request that the City Council consider authorizing the City Manager to purchase equipment from the BuyBoard and lowest qualified bids received.

- C-A-4** Request that the City Council consider adoption of an ordinance amending Tyler City Code Chapter 3, Civil Service Classification Plan and number of authorized Civil Service Positions for Fiscal Year 2014-2015. (O-2015-34)

March 25, 2015

- C-A-5** Request that the City Council consider authorizing the City Manager to execute work order No. 1 with Wisenbaker Fix & Associates, in the amount of \$140,000, for engineering services for the Southside Wastewater Treatment Plant Belt Press Facility project and to approve a resolution reserving the right to reimburse expenditures with proceeds of future debt. (R-2015-10)
- C-A-6** Request that the City Council authorize the City Manager the capital expenditure of \$42,599 to Purvis Industries, Dallas, Texas, for replacement of one (1) raw wastewater screw pump at Southside Wastewater Treatment Plant.
- C-A-7** Request that the City Council consider ratifying expenditures for valve replacement at the Southside Wastewater Treatment Plant to McKinney & Moore of Jacksonville, Texas.
- C-A-8** Request that the City Council consider authorizing the City Manager to award a contract in the amount of \$35,550.00 to Davis Custom Homes & Construction, for the construction of a new equipment storage building at the Lake Tyler Maintenance Complex.

Motion by Councilmember Whatley; seconded by Councilmember Mezayek; motion carried 7 - 0 & approved as presented.

BOARD APPOINTMENTS

- B-1** Request that the City Council consider making an appointment to the Tyler Historical Preservation Board.

Motion by Councilmember Mezayek to appoint Lucinda Kittrell; seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

- B-2** Request that the City Council consider making an appointment to the Planning and Zoning Commission.

Councilmember Moore – Stated that he would like to explore the idea of having each City Councilmember make an appointment to the Planning and Zoning Commission. He stated that regardless of what has been done in the past, that process may not work in the future and the process needs to be consistent.

Motion to appoint Pamela Phoenix by Councilmember Moore; seconded by Mayor Pro Tem Bowdre; the motion was lost with a vote of 3 in favor - 4 opposed. (Opposed were Councilmember Nix, Councilmember Whatley, Councilmember Mezayek and Mayor Heines) (In favor of vote were Councilmember Moore, Mayor Pro Tem Bowdre and Councilmember Warren).

Motion to appoint Carl Johnson by Councilmember Whatley; seconded by Councilmember

March 25, 2015

Mezayek; motion carried with a vote of 4 in favor – 3 opposed; the appointment of Carl Johnson to the Planning and Zoning Commission was approved. (In favor of vote were Councilmember Nix, Councilmember Whatley, Councilmember Mezayek and Mayor Heines) (Opposed were Councilmember Moore, Mayor Pro Tem Bowdre and Councilmember Warren)

CITY MANAGER'S REPORT - City Manager Edward Broussard provided the following comments:

1. Brief summary of TxDot repairs on Glenwood, N. Broadway and Gentry
2. Bergfeld park ribbon cutting is scheduled for April 4th at 1:00 pm.
3. Police Department received its 7th accreditation award
4. Main Street Program was awarded the 2015 Main Street Program
5. Bids will be presented for the Lindsey and the Fair Foundation buildings at the next City Council meeting.
6. Summary of CIP report

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 10:42 am

Executive Item No. 1:

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.

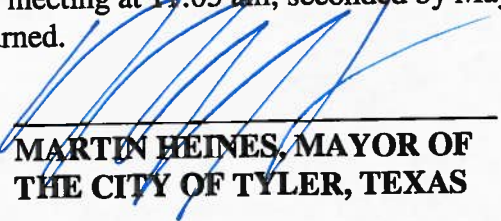
Any final action to be taken by the City Council will be taken in open session.

City Council reconvened from executive session at 11:05 am with no action taken.

March 25, 2015


ADJOURNMENT

Motion by Councilmember Mezayek to adjourn the meeting at 11:05 am; seconded by Mayor Pro Tem Bowdre; motion carried 7 - 0 & meeting adjourned.




MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



The seal is circular with a double-line border. The outer ring contains the text "CITY OF TYLER" at the top and "TEXAS" at the bottom. The inner circle features a central emblem with three horizontal ovals and a small circle above them. The word "SEAL" is printed across the center of the seal.