

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
May 13, 2015**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 13, 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 (absent)
	Don Warren
City Manager:	Edward Broussard
Asst. City Manager:	Susan Guthrie
Deputy City Attorney:	Steve Kean
Asst. City Attorney:	Terrance Garmon
Airport Manager:	Davis Dickson
Director for Innovation:	Guillermo Garcia
Managing Director for Administration:	ReNissa Wade
Manager for Organizational Development:	Kristi Boyett
City Engineer:	Carter Delleney
Managing Director for Public Safety & Police Chief:	Gary Swindle
Director of Parks and Recreation:	Stephanie Rollings
Director of Planning:	Heather Nick
Water Business Office Manager:	Jim Yanker
Managing Director for Utilities/Public Works and Utilities:	Greg Morgan
City Clerk:	Cassandra Brager

Mayor for the Day – Leo Weibe

INVOCATION

The Invocation was given by Bishop Joseph Strickland

MINUTES

Motion by Councilmember Whatley to approve the April 22, 2015 minutes; seconded by Councilmember Mezayek; motion carried 6 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognitions

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The following employees were hired by the City of Tyler during the month of April 2015. We would like to take this opportunity to welcome these new employees.

New Employees

..	LAST NAME:	POSITION:	DEPARTMENT:
Mary	McFarland	Permit Technician	Building Services
Ollie	McCray	Benefits Coordinator	HR
Patricia	Peralta	Legal Secretary	Legal
Wade	Morgan	PS Telecommunicator II	Police
Ferdinand	Erfe	Plant Operator I	Southside Water Plant
Andre	Johnson	Laborer	Water Systems

PRESENTATION

P-1 Request that the City Council consider receiving a brief presentation from United Way of Smith County and recognize the City of Tyler employees that contributed to an excellent year of contributions.

Mandi Worthington, United Way – Presented the Police Department with the 2014 Community Champion award for the 2014 year.



P-2 Request that the City Council consider accepting an “Award of Excellence” in the field of New Parking Structures for the Fair Plaza Parking Garage from the Texas Parking and Transportation Association.

P-3 Request that the City Council receive a presentation recognizing the Tyler Police Department’s seventh accreditation award by the Commission on Accreditation for Law Enforcement Agencies as presented by Regional Program Manager Randy Scott.

RESOLUTION

R-1 Request the City Council consider adopting a Resolution authorizing the Police Department to participate with other law enforcement agencies in the submission of a grant request from the Texas Automobile Burglary & Theft Prevention Authority, authorizing the City’s matching share, and authorizing the City Manager to enter into a cooperative working agreement regarding the same. (R-2015-13)

Motion by Councilmember Mezayek; seconded by Mayor Pro Tem Bowdre; motion carried 6 - 0 & approved as presented.



R-3 Request that the City Council consider authorizing the City Manager to accept a donation in the amount of \$11,248.00 from Historic Tyler, Inc. in sponsorship of the

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Pollard Farm Historic Resource Survey to serve as the local match for the Texas Historical Commission Grant funded project.

Motion by Councilmember Warren; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

ORDINANCE

- O-1 Request that the City Council consider adopting an Ordinance amending City Code, Chapter 18 to update the definition of “junked vehicle” to reflect changes in state law. (O-2015-49)**

Motion by Councilmember Whatley; seconded by Mayor Pro Tem Bowdre; motion carried 6 - 0 & approved as presented.



- O-2 TEXAS HISTORICAL COMMISSION CLG GRANT NUMBER TX-15-022**
Request that the City Council consider adopting an Ordinance authorizing acceptance of the Texas Historical Commission Certified Local Government Grant Contract number TX-15-022 in the amount of \$11,248.00 for the purpose of funding the Pollard Farm Historic Resource Survey and authorizing the City’s local match in the amount of \$11,248.00. (O-2014-50)

Motion by Councilmember Warren; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.

- O-3 Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 3 by amending the Civil Service Classification Plan adoption process by providing for review by the Civil Service Commission, with the City Council continuing to retain final authority to adopt the plan and the classifications. (O-2014-51)**

Motion by Mayor Pro Tem Bowdre; seconded by Councilmember Mezayek; motion carried 6 - 0 & approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider accepting the annual review of City of Tyler tax abatements regarding Centene, Hood Packaging, Tazza Pronto, and VME Process Systems. (Mayor Heines exited)**

Motion by Councilmember Warren; seconded by Councilmember Whatley; motion carried 5-0-1 with Mayor Heines abstaining, & approved as presented.

Mayor returns

- M-2 Request that the City Council consider setting date for a special called meeting to canvass the returns of the City Council Election held May 9, 2015.**

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Motion by Councilmember Mezayek to set date to canvass election returns on May 19, 2015; seconded by Councilmember Warren; motion carried 6 - 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 authorizing the City Manager to execute a new Auto Wholesale Area Lease agreement with EAN Holding, LLC., including the sale, storage, light maintenance and cleaning of vehicles in support of Lessee's auto wholesale activities at Tyler Pounds Regional Airport and amending their current Auto Rental Concessions Lease.



C-A-2 Request that the City Council consider authorizing the City Manager to purchase the Furniture, Fixtures, and Equipment for the South Police Substation in an amount not to exceed \$250,000.00.

C-A-3 Request that the City Council consider approving the City Manager to execute a professional services contract with Jacobs Engineering Group, Inc. in the amount of \$49,339.00 for the development of Spill Prevention, Control and Countermeasure plans for the City's Streets Department, Vehicle Services Department, Lake Tyler Marina, and Tyler Pounds Field.

C-A-4 Request that the City Council consider approving the City Manager to execute a professional services contract with Jacobs Engineering Group, Inc. in the amount of \$39,310.00 for updating the Storm Water Pollution Prevention Plan for the Tyler Pounds Airport.

C-A-5 Request that the City Council consider authorizing the City Manager to purchase five new Harley Davidson FLHTP Electra Glide Police Motorcycles.

C-A-6 Request that the City Council consider approving an agreement authorizing donation of certain surplus playground equipment to the City of Mineola.

C-A-7 Request that the City Council consider authorizing the City Manager to authorize final payment to Landvision Landscape of Tyler, Texas, in the amount of \$22,999.34 increasing total contract amount by \$56,401.38, for Bergfeld Park Playground Area Improvements Phase I.

C-A-8 Request that the City Council consider adopting an Ordinance amending the Neighborhood Empowerment Zone provisions in Tyler City Code Chapter 7 by

updating the reference to the Tyler 1st Comprehensive Plan and by amending current citations to State law to include any successor statute. (O-2015-52)

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C-A-9 Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 2 to re-adopt current guidelines and criteria for tax abatement. (O-2015-53)

Motion by Mayor Pro Tem Bowdre; seconded by Councilmember Moore; motion carried 5-0-1 with Mayor Heines abstaining, & approved as presented.

CITY MANAGER'S REPORT

1. CIP Report Update
2. Thanked Fire/Police and Solid Waste Department for their assistance to our neighboring city, Van, Texas during the recent tornados.
3. This is Guillermo Garcia's last city council meeting. He will be taking a job in Dallas, Texas.

RECESS FOR EXECUTIVE SESSION – Recessed into executive session at 9:50 am

Executive Item No. 1:

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

Development of a hotel and conference center in Tyler.

Executive Item No. 2:

Under section 551.071 "Litigation" deliberation regarding the following:

Possible or contemplated litigation regarding *Cotton vs. the City of Tyler* suit.

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

Reconvened from executive session at 10:32 and approved the following agenda item.

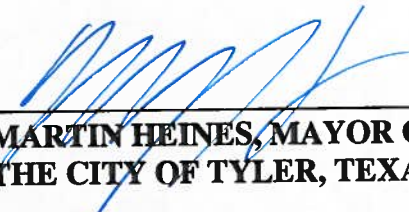
R-2 Request that the City Council consider adopting a Resolution agreeing to provide defense and indemnity to certain City employees and contract employees who are defendants in a lawsuit brought against them as a result of actions taken as City employees and/or contract employees. (R-2015-14)

Motion by Councilmember Mezayek; seconded by Mayor Pro Tem Bowdre; motion carried 6 - 0 & approved as presented.

ADJOURNMENT

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Motion by Councilmember Whatley to adjourn the meeting at 10:32 am; seconded by Councilmember Moore; motion carried 6 - 0 & approved as presented.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

