

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
June 10, 2015**

A special called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, June 10, 2015 at 11:00 a.m. in the City Council Chambers, 2<sup>nd</sup> 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       |
| Manager for Organizational Development:                        | Kristi Boyett      |
| Chief Information Officer:                                     | Benny Yazdanpanahi |
| City Engineer:   | Carter Delleney    |
| City Fire Chief:   | Tim Johnson        |
| Managing Director for Public Safety<br>& Police Chief:         | Gary Swindle       |
| Director of Parks and Recreation:                              | Stephanie Rollings |
| Director of Solid Waste:                                       | Russ Jackson       |
| Vehicle/Equipment Services Manager:                            | Leroy Sparrow      |
| Managing Director for Utilities/Public<br>Works and Utilities: | Greg Morgan        |
| City Clerk:  | Cassandra Brager   |

**INVOCATION**

The Invocation was given by Pastor, Gregory Littlefield, Family of Faith Christian Church.

**MINUTES**

Motion by Councilmember Whatley to approve the May 19, 2015 and May 27, 2015 minutes; seconded by Councilmember Sellers; motion carried 7 - 0 & approved as presented.

**EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

**A-1 New Hires Recognitions**

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

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New Employees

| <b>FIRST NAME:</b> | <b>LAST NAME:</b> | <b>POSITION:</b>          | <b>DEPARTMENT:</b> |
|--------------------|-------------------|---------------------------|--------------------|
| Jabrielle          | Mason             | PS Telecommunicator       | Police             |
| Cynthia            | Nance             | Secretary                 | Police             |
| Walter             | Herrera           | Fire Fighter Recruit      | Fire               |
| Mark               | Davis             | Fire Fighter Recruit      | Fire               |
| Noah               | Shipman           | Fire Fighter Recruit      | Fire               |
| Joshua             | Johnston          | Fire Fighter Recruit      | Fire               |
| Samuel             | Brady             | Parking Patrol            | Traffic            |
| Chad               | Pierce            | Traffic Signal Technician | Traffic            |
| Hannah             | LaCroix           | Deputy Court Clerk        | Municipal Court    |
| Stephanie          | Wideman           | Animal Shelter Technician | Animal Shelter     |

**RESOLUTION**

**R-1 Request that the City Council consider adopting a Resolution approving a settlement agreement between Atmos Steering Committee and Atmos Energy Corporation Mid-Tex Division related to the 2014 and 2015 Rate Review Mechanism (“RRM”) tariffs and natural gas rate increases. (R-2014-17)**

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

**R-2 Request that the City Council consider adopting a Resolution authorizing the City of Tyler’s continued participation with the Atmos Cities Steering Committee, and authorizing the payment of five cents per capita (\$5,450.00) to the Atmos Steering Committee to fund regulatory and associated activities related to Atmos Energy Corporation. (R-2014-18)**

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

**ORDINANCE**

**O-1 Request that the City Council consider adopting an ordinance amending commercial charges in Tyler City Code Chapter 16 in accordance with the allowed annual Consumer Price Index, (CPI). (O-2014-54)**

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

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**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 sign and acknowledge a permanent right-of-way use agreement with Davis Thornton, Ltd. for the purpose of installing and maintaining various amenities in the City of Tyler right-of-way

**C-A-2** Request that the City Council consider declaring two used Whelen lightbars and controllers as surplus property, and also consider approving an interlocal agreement authorizing donation of such surplus equipment to the Edom Volunteer Fire Department (VFD).

**C-A-3** Request that the City Council consider declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.

**C-A-4** Request that the City Council consider ratifying the change of the vendor for the purchase of the new Stertil Koni Skylift.

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

Motion by Councilmember Whatley to approve the entire consent agenda: seconded by Councilmember Nix; motion carried 7 - 0 & approved as presented.

**CITY MANAGER'S REPORT**

1. CIP Summary Report handed out
2. Staff busy working on the budget review
3. Review of the preliminary appraisals to build the effective tax rate
4. Thanks to the Parks and Street crews for cleaning up the downtown area for the 6x6 and swirl event.
5. Sister city from Japan will be coming this October for the Rose Festival.

**RECESS FOR EXECUTIVE SESSION** – City Council convened into executive session at 9:19 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.

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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 551.071 "Litigation" deliberation regarding the following:

1. Possible or contemplated litigation involving civil service promotional examination.
2. Possible or contemplated litigation regarding the *Yaneth Fuentes; Hector Alfonso Fuentes; Victor Javier Fuentes; Kimberly Yuri Fuentes; Juan Fuentes; Angelica Fuentes, v. Matthew Riggle* suit.

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

City Council reconvened from executive session at 10:22 am with no action taken.

### **ADJOURNMENT**

Motion by Councilmember Bowdre to adjourn the meeting at 10:22 am; seconded by Councilmember Whatley; motion carried 7 - 0 & meeting adjourned.

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**MARTIN HEINES, MAYOR OF  
THE CITY OF TYLER, TEXAS**

**A T T E S T:**

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**CASSANDRA BRAGER, CITY CLERK**