

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
September 9, 2015**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, September 9, 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:	Edward Moore
Councilmembers:	Mark Whatley Linda Sellers Darryl Bowdre John Nix Don Warren (absent)
City Manager:	Edward Broussard
Asst. City Manager:	Susan Guthrie
City Attorney:	Deborah G. Pullum
Deputy City Attorney:	Steve Kean
Airport Manager:	Davis Dickson
Managing Director for Administration:	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
Director of Solid Waste:	Russ Jackson
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 Mayor Pro Tem Moore.

MINUTES

Motion by Councilmember Whatley to approve the August 12, 2015 and August 26, 2015 minutes; seconded by Councilmember Bowdre; 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 August 2015. We would like to take this opportunity to welcome these new employees.

New Employees

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Jennifer	Price	Airport Projects Coordinator	Airport
Brian	Florendo	IT Specialist II	IT
Gabriel	Gray	Legal Secretary	Legal
David	Broom	PT Access Associate	Library
Shaun	Tucker	Homebuyer Specialist	Neighborhood Services
Rhonda	Chapman	PT Recreation Specialist	Parks
Rhodora	Bivens	Foreman II	Solid Waste
Heather	Martin	Senior Secretary	VES

PRESENTATIONS

P-1 Request that the City Council consider accepting the “Distinguished Budget Presentation Award” for its Fiscal Year 2014-2015 Budget document from the Government Finance Officers Association of the United States and Canada.

HEARINGS

H-1 Request that the City Council consider conducting a public hearing on the proposed Fiscal Year 2015-2016 Annual Budget and on the proposed property tax rate of \$0.220000 per \$100 of taxable property value and consider taking action to adopt the proposed tax rate and budget on Tuesday September 22, 2015 at the City Council’s scheduled meeting located at City Hall on 212 North Bonner Avenue.

City Manager, Edward Broussard – Gave a brief update on the proposed Fiscal Year 2015-2016 Annual Budget and on the proposed property tax rate of \$0.220000 per \$100 of taxable property value.

Mayor Heines opened the public hearing for comments and called for persons wishing to speak on the item.

Larry Meckley, 401 Sutherland Dr. – Stated that his main concern is traffic congestion and building 3 miles of streets every two years in unacceptable. Mr. Meckley stated that he would like to see improvements on S. Broadway, Roy Road, Jeff Davis Drive and Cumberland Road. He also like to see more parks for children and families.

The public hearing was closed after one speaker; adoption of the proposed tax rate and budget to be taken on Tuesday, September 22, 2015 at the City Council’s next scheduled meeting.

CONSENT

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(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 approving the reconciliation change order and the release of retainage to Reynolds and Kay, LTD for the Rice/Shiloh Roadway Improvements Project.



C-A-2 Request that the City Council consider authorizing the City Manager to approve a Reconciliation Change Order and release of final payment with retainage in the amount of \$150,725.05 to Crossland Heavy Contractors for the Westside Wastewater Treatment Plant Sludge Dewatering Facility project.

C-A-3 Request that the City Council consider awarding bids for the demolition and reconstruction of two (2) single-family dwellings to Rider Homes at 524 Vance Street and 713 Bennett Avenue; and demolition and reconstruction of one (1) single-family dwelling to Lee Construction at 2326 Hughey Drive.

Motion by Councilmember Bowdre; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

BOARD APPOINTMENTS

B-1 Request that the City Council consider making appointments and reappointments to various City Boards.

Airport Advisory Board

Motion by Mayor Heines to reappoint *Ronald Stutes* and *Joshua Ebright*; seconded by Councilmember Sellers; motion carried 6 - 0 & approved as presented

Motion by Mayor Heines to appoint *John Barber Jr* and *James Wynne III*; seconded by Councilmember Sellers; motion carried 6 - 0 & approved as presented

Motion by Councilmember Whatley to reappoint Ronald Stutes as Chair; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented

Animal Care Advisory Board

Motion by Councilmember Whatley to reappoint *Mary Ann Clifford*, *Todd Tutt*, and *Marjorie Ream*; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

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Motion by Councilmember Whatley to appoint *Andrew Rodriguez*; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented

Board of Adjustment

Motion by Councilmember Whatley to reappoint *Monty Small and Mike Patterson*; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented

Motion by Councilmember Whatley to appoint *John Musselman*; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented

Motion by Councilmember Nix to reappoint Mike Patterson and move him up to a regular member instead of an alternate; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented

Motion by Councilmember Whatley to appoint Mike Patterson as Chairman; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented.

Civil Service Commission

Motion by Councilmember Nix to reappoint Peter Mason; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented

Construction Board of Adjustments and Appeals

Motion by Councilmember Nix to reappoint Jason VandeVorste, and Carl Watson; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

Disability Issues Review Board

Motion by Councilmember Whatley to appoint Laura Mattheis; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented.

Half Cent Sales Tax Board

Motion by Councilmember Sellers to appoint Walter Welhelmi; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

Health Facilities Development Corporation Board of Directors

Motion by Mayor Pro Tem Moore to reappoint Steven Roosth, David Traff, Thomas Seale, Mark Walling and Richard Ring; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

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Historical Preservation Board

Motion by Councilmember Bowdre to reappoint Lucinda Kittrell and Dewayne Manning; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Bowdre to appoint Shana Steele and Laura Jackson; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Keep Tyler Beautiful Board

Motion by Councilmember Whatley to reappoint Margo Ballew, Charity French, and Anwar Khalifa; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Whatley to appoint John Muller, Eddie Hanson, Shannon Franzen, Krystal Phillips and Frank Barat; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Whatley to appoint Charity French as Chair; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

Library Board

Motion by Councilmember Nix to reappoint Sharon Gullett; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Nix to appoint Astilma Vargas, Brenda McWilliams, and Dennis Parnell; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Nix to appoint Sharon Gullett as Chair; seconded by Mayor Pro Tem Moore; motion carried 6 - 0 & approved as presented.

Neighborhood Revitalization Board

Motion by Councilmember Whatley to appoint Dianna Pappas; seconded by Councilmember Sellers; motion carried 6 - 0 & approved as presented.

Northeast Texas Public Health District Board

Motion by Councilmember Whatley to appoint John Gaston; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

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Park Board

Motion by Councilmember Whatley to reappoint Jason Chad Humphries and Michael Ballew; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Whatley to appoint Charles Ainsworth, Karen Christie and Diane Kavanaugh; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Motion by Councilmember Sellers to appoint Sandy Shephard as Chair; seconded by Councilmember Nix; motion carried 6 - 0 & approved as presented.

Planning and Zoning Commission

Motion by Councilmember Whatley to reappoint Michael Carmichael, David Hudson, Felicity Reedy and William Sheehy; seconded by Councilmember Sellers; motion carried 6- 0 & approved as presented.

Motion by Councilmember Whatley to reappoint David Hudson as Chair; seconded by Councilmember Nix; motion carried 6- 0 & approved as presented.

Traffic Safety Board

Motion by Councilmember Whatley to appoint Philip Matthews and Ruth "Casey" Fisher; seconded by Councilmember Bowdre; motion carried 6 - 0 & approved as presented.

CITY MANAGER'S REPORT

1. The FAA announced that the City of Tyler Airport would receive the grant funding in the amount of 9.8 million dollars.
2. Governor Abbott recently made appointments to the Texas Department of Motor Vehicles Board of Directors and Chief Gary Swindle was selected to the Board.
3. Ruthie Foster will be at Liberty Hall on Saturday, September 19, 2015.
4. CIP Report handed out.

RECESS FOR EXECUTIVE SESSION – City Council convened into executive session at 9:36 am

Executive Item No. 1:

Under 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.

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Executive Item No. 2:

Under 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. 3:

Under Tex. Gov't Code section 551.071 "Litigation" deliberation regarding the following:

1. 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;
2. Pending or contemplated litigation involving EPA;

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics, which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects listed above.

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

City Council reconvened from executive session at 10:58 am.

ADJOURNMENT

Motion by Councilmember Nix to adjourn the meeting at 11:00 am; seconded by Mayor Pro Tem Moore; motion carried 5 - 0 & meeting adjourned.


MARTIN HEINES, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

