

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
April 9, 2014**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, April 9, 2014 at 9:00 a.m. in the City Council Chambers, 2nd floor of City Hall, Tyler, Texas, with the following present:

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|--|--------------------------------|
| Mayor: | Barbara Bass |
| Mayor Pro Tem: | Darryl Bowdre |
| Councilmembers: | Mark Whatley |
| | Sam Mezayek |
| | Edward Moore (Absent) |
| | John Nix |
| City Manager: | Mark McDaniel |
| City Attorney: | Deborah G. Pullum |
| Deputy City Attorney: | Steve Kean |
| Airport Manager: | Davis Dickson |
| Managing Director for Administration: | ReNissa Wade |
| Chief Information Officer: | Benny Yazdanpanahi |
| City Engineer: | Carter Delleney |
| Managing Director for Public Safety & Police Chief: | Gary Swindle |
| Director of Parks and Recreation: | Stephanie Rollings |
| Director of Solid Waste: | Russ Jackson |
| Senior Public Relations Specialist: | Serena Butcher |
| Director of Planning: | Heather Nick |
| Managing Director for Utilities/Public Works and Utilities: | Greg Morgan |
| Traffic Engineer: | Peter Eng |
| City Clerk: | Cassandra Brager |

INVOCATION

The Invocation was given by Mayor Pro Tem Bowdre.

MINUTES

Motion by Councilmember Whatley to approve the March 26, 2014 minutes; seconded by Councilmember Mezayek; motion carried 5 - 0 & approved as presented.

EMPLOYEE AWARDS – RECOGNITIONS, SERVICE

A-1 New Hires Recognitions

The following employees were hired by the City of Tyler during the month of March, 2014. We would like to take this opportunity to welcome these new employees.

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New Employees

| FIRST NAME: | LAST NAME: | POSITION: | DEPARTMENT: |
|-------------|------------|----------------------------------|-----------------------|
| Ismail | Erassifi | Circulation Technician Part-Time | Library |
| Taylor | Oster | Property and Evidence Specialist | Police |
| Andre | Williams | Commercial Equipment Operator | Solid Waste |
| Frances | Costlow | Bus Driver Part-Time On-Call | Transit |
| Teresa | Johnson | Bus Driver Part-Time On-Call | Transit |
| Joseph | Pittman | Bus Driver Part-Time On-Call | Transit |
| Phillip | Gomez | Laborer | Wastewater Collection |

PRESENTATIONS

- P-1** Request that the City Council consider receiving a presentation from Northeast Texas Public Health District (NET Health) on the operation of the Center for Healthy Living located at 2815 Frankston Hwy (Old Fire Station #5).

George Roberts, 315 N. Broadway – Gave a report from the Northeast Texas Public Health District (NET Health) on the operation of the Center for Healthy Living located at 2815 Frankston Hwy.

- TYLER I P-2** Request that the City Council receive a presentation and consider adoption of a Resolution approving the final draft of the Tyler 1st comprehensive plan update as a guide for making decisions for the future growth and development of the City of Tyler. (R-2014-4)

Motion by Councilmember Mezayek; seconded by Councilmember Nix; motion carried 5 - 0 & approved as presented.

MISCELLANEOUS

- TYLER I M-1** Request that the City Council consider approving the incorporation of the updated Tyler 1st into the Tyler Blueprint.

Motion by Mayor Pro Tem Bowdre; seconded by Councilmember Mezayek; motion carried 5 - 0 & approved as presented.

- M-2** Request that the City Council consider authorizing the City Manager to award a construction contract for the Lake Tyler Dam Repair project to Gracon Construction, Inc. in the amount of \$8,284,270.

Motion by Councilmember Mezayek; seconded by Councilmember Whatley; motion carried 5 - 0 & approved as presented.

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- M-3 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2014 Asphalt Enhancement Program to the lowest bidder, Reynolds & Kay, Limited, in the amount of \$2,294,557.70.**

Motion by Councilmember Mezayek; seconded by Mayor Pro Tem Bowdre; motion carried 5 - 0 & approved as presented.

- M-4 Request that the City Council consider authorizing the City Manager to award the construction contract for the 2014 Seal Coat Program to the lowest bidder, Reynolds & Kay, Limited, in the amount of \$381,702.05.**

Motion by Councilmember Mezayek; seconded by Mayor Pro Tem Bowdre; motion carried 5 - 0 & approved as presented.

Councilmember Nix exited



- M-5 Request that the City Council consider authorizing the City Manager to approve the expenditure of \$35,726 for the acquisition of traffic control equipment through Iteris for the completion of the Front Street ACS Lite System.**

Motion by Councilmember Whatley; seconded by Mayor Pro Tem Bowdre; motion carried 4 - 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 agreeing to the sale of certain tracts of land located at 526 N. Moore Avenue within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2014-5)**

- C-A-2 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1118 Britton Avenue, Lot 135C, within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2014-6)**

- C-A-3 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 1118 Britton Avenue, Lot 135A, within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2014-7)**

- C-A-4 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 507 Maple Street and 509 Maple Street within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2014-8)**

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- C-A-5** Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located at 2514 W Van Street within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2014-9)
- C-A-6** Request that 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 and to include authorizing the City Manager to enter into a cooperative working agreement regarding the same. (R-2014-10)
- C-A-7** Request that the City Council authorize the City Manager the capital expenditure of \$35,754 to Purvis Industries, Dallas, Texas, for replacement of one (1) raw screw pump at Southside Wastewater Treatment Plant.
- C-A-8** Request that the City Council consider ratifying the purchase of fourteen (14) Apollo Model 4SG-60C-E3 CII six inch Double Check Detector Assemblies and one (1) Apollo Model 4SG-60A-E3 CII four inch Double Check Detector Assembly in the amount of \$33,912.23 from MacArthur Gauge.
- C-A-9** Request that the City Council consider approving a contract with Jacobs Engineering Group, Inc. in the amount of \$45,660 for the revision of the City's Phase II MS4 Stormwater Management Plan (SWMP) and the development of a Stormwater Pollution Prevention Plan for the City's Concrete Batch Plant.
- C-A-10** Request that the City Council consider authorizing the City Manager to sign and acknowledge a permanent right-of-way use agreement with the Louise O'Sullivan Family Trust for the placement of a PVC force main along Industrial Avenue in the City of Tyler right-of-way.
- C-A-11** Request that the City Council consider adopting an Ordinance amending the FY 2013-2014 Airport Budget to provide funding for an airport advertising campaign. (O-2014-28)
- C-A-12** Request that the City Council consider authorizing the City Manager to purchase various vehicles and equipment from Buy Board and the lowest qualified bids received.
- C-A-13** Request that the City Council consider declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.
- C-A-14** Request that the City Council consider authorizing the City Manager to award multiple vendors the annual price agreement for various categories of automotive and truck services and repairs per Bid No. 14-018.
- C-A-15** Request that the City Council consider ratifying the settlement agreement between

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the City and Guinn-Tyler Holdings, LP, defendant in the suit styled *The City of Tyler, Texas vs. Guinn-Tyler Holdings, LP., Cause No. DC-12-3119-C:*

Motion by Mayor Pro Tem Bowdre; seconded by Councilmember Whatley; motion carried 4 – 0-1 & approved as presented.

Councilmember Nix returned.

CITY MANAGER'S REPORT

Summary of monthly CIP report: specific note on Fair Plaza garage, Rose Garden Master Plan, Library renovation and flashing yellow arrows.

RECESS FOR EXECUTIVE SESSION – No executive session needed

Executive Item No. 1:

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. 2:


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.

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 9:57 am; seconded by Councilmember Mezayek; motion carried 5 - 0 & meeting adjourned.


BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ap 4/23/14

ATTEST:


CASSANDRA BRAGER, CITY CLERK

