

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
January 14, 2015**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, January 14, 2015 at 9:00 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:                          | Darryl Bowdre   |
| Councilmembers:                         | Mark Whatley<br>Sam Mezayek<br>Edward Moore<br>John Nix<br>Don Warren |
| Interim City Manager:                   | Susan Guthrie   |
| City Attorney:                          | Deborah G. Pullum   |
| Deputy City Attorney:                   | Steve Kean  |
| Director for Innovation:                | Guillermo Garcia  |
| 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     | Gary Swindle  |
| & Police Chief:                         | Stephanie Rollings  |
| Director of Parks and Recreation:       | Russ Jackson  |
| Director of Solid Waste:                | Leroy Sparrow   |
| Vehicle/Equipment Services Manager:     | Serena Butcher  |
| Senior Public Relations Specialist:     | Heather Nick  |
| Director of Planning:                   |   |
| Managing Director for Utilities/Public  | Greg Morgan   |
| Works and Utilities:                    | Peter Eng   |
| Traffic Engineer:                       | Cassandra Brager  |
| City Clerk:                             |   |

## **INVOCATION**

The Invocation was given by Mayor Pro Tem Bowdre.

## **MINUTES**

- a. Minutes 12 08 2014 Special Called
- b. Minutes 12 09 2014 Special Called
- c. Minutes 12 10 2014
- d. Minutes 12 23 2014 Special Called

Motion by Councilmember Whatley to approve the entire slate of City Council meeting minutes; seconded by Councilmember Mezayek; motion carried 7 - 0 & approved as presented.

## **EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

### **A-1 New Hires Recognition**

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

#### **New Employees**

| FIRST NAME: | LAST NAME: | POSITION:                          | DEPARTMENT: |
|-------------|------------|------------------------------------|-------------|
| Samuel      | Schomp     | PS Telecommunicator II             | Police      |
| Paula       | Henderson  | Administrative Secretary           | Fire        |
| Nikki       | Butchers   | Industrial Pre-Treatment Inspector | Wastewater  |
| Vincent     | McWhorter  | Account Specialist/Auditor         | Solid Waste |
| Kory        | Devers     | Plant Laborer                      | Wastewater  |
| Rachel      | Worthy     | Traffic Signal Technician          | Traffic     |

## **ZONING**

- Z-1 C12-14-002 CIY OF TYLER (CANNON COURT AND NORTH ELLIS AVENUE)**  
Request that the City Council consider the closure of Cannon Court and a portion of North Ellis Avenue right-of-way located at the intersection of West Gentry Parkway and continuing north approximately 100 feet. (O-2015-1)

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

- Z-2 Z12-14-008 TEXAS CONFERENCE ASSOCIATION OF SEVENTH DAY ADVENTISTS (2202 DUNCAN ST.)**  
Request that the City Council consider approving a zone change from "R-1B," Single-Family Residential District, to "C-2," General Commercial District. (O-2015-2)

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

- Z-3 Z12-14-011 JOHN O'SULLIVAN (107 S. CENTER AND 115 S. CENTER)**  
Request that the City Council consider approving a zone change from "M-1," Light Industrial District, to "DBAC," Downtown Business, Arts and Culture District. (O-2015-3)

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

**Z-4 Z12-14-012 JOHN O'SULLIVAN (300 E. ELM ST.)**

**Request that the City Council consider approving a zone change from "M-1," Light Industrial District, to "DBAC," Downtown Business, Arts and Culture District. (O-2015-4)**

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

**Z-5 Z12-14-013 JOHN O'SULLIVAN (300 E. ERWIN ST.)**

**Request that the City Council consider approving a zone change from "M-1," Light-Industrial District, to "DBAC," Downtown Business, Arts and Culture District. (O-2015-5)**

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

**Z-6 Z12-14-014 WILDCAT REAL ESTATE (4100 TROUP HWY. AND 4109 OLD TROUP HWY.) Request that the City Council consider approving a zone change from "R-1A," Single-Family Residential District, to "C-2," General Commercial District. (O-2015-6)**

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

**Z-7 Z12-14-015 CHAPEL WOODS DEVELOPMENT (3982 OLD OMEN RD.)**

**Request that the City Council consider approving a zone change from "AG," Agricultural District, and "R-1B," Single-Family Residential District, to "PUR," Planned Unit Residential District, with final site development plan. (O-2015-7)**

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

**Z-8 A12-14-001 RYNO TEXAS HOLDINGS, INC (5555 OLD JACKSONVILLE HWY.)**

**Request that the City Council consider adopting an ordinance providing for the voluntary annexation of a property located at 5555 Old Jacksonville Hwy. The proposed annexation area consists of approximately 4.37 acres of land lying adjacent to the present boundary limits of the City of Tyler located west of the northwest intersection of Crow Road and Old Jacksonville Highway. Also consider recommending:**

- A. The new boundary of the City Limits.**
- B. The new boundary of the Extraterritorial Jurisdiction.**
- C. The new boundary of the City Council District #2.**
- D. Original zoning of 4.37 acres of "C-1," Light Commercial District. (O-2015-8)**

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

**Z-9 F12-14-014 LAKE PLACID ESTATES, FINAL PLAT**

Request that the City Council consider approving a plat for a five-lot subdivision containing approximately 9.98 acres of land located southwest of the intersection of Loop 49 and Lake Placid Road and a waiver of escrow to the required street improvements to County Road 1113 in the amount of \$180,474.

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

**Z-10 F12-14-018 BRUCE LEE ADDITION, FINAL PLAT**

Request that the City Council consider approving a plat for a three-lot subdivision containing approximately 14.55 acres of land located south of the southeast intersection of County Road 485 and County Road 492 and a waiver of escrow to the required street improvements to County Road 485 in the amount of \$31,540.

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

**MISCELLANEOUS**

**M-1 Request that the City Council consider authorizing the Interim City Manager to approve and execute a contract with SunGard Public Sector, Incorporated to purchase the OneSolution Community Development Software package.**

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

**M-2 Request that the City Council ratify the expenditure of \$78,290.10 for Mandated Water System Fee to the Texas Commission on Environmental Quality (TCEQ).**

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

**M-3 Request that the City Council consider approval of an addendum to our current contract with HealthFirst, TPA to add services provide by Tria Health for medication therapy management for City employees and retirees for calendar year starting Feb. 1, 2015.**

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

**M-4 Request that the City Council consider authorizing City staff to advertise for bids for the construction of the 2015 Asphalt Pavement Enhancement Program.**

January 14, 2015

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

**M-5 Request that the City Council consider authorizing the Interim City Manager to approve the expenditure of \$140,000 for the acquisition of traffic control equipment and services through Iteris for the Azalea District ACS Lite System.**

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

**M-6 Request that the City Council consider canceling the March 11, 2015 City Council meeting.**

Motion by Councilmember Mezayek; seconded by Councilmember Moore; 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 declaring certain City of Tyler vehicles, equipment, and miscellaneous items as surplus and authorize for auction.**

**C-A-2 Request that the City Council consider authorizing the Interim City Manager to purchase various vehicles and equipment from Buy Board and TX SmartBuy.**

**C-A-3 Request that the City Council ratify staff action to exercise the first of two options to renew current contract for Medical Stop-Loss and Life Insurance contracts with Voya/ReliaStar (formerly known as ING/ReliaStar) for the calendar year starting Jan. 1, 2015 with one additional one-year renewal options.**

**C-A-4 Request that the City Council consider declaring the lot identified as 1530 W. Nutbush St. as surplus property and authorize the Interim City Manager to dispose of this property in accordance with State Law.**

**C-A-5 Request that the City Council consider authorizing the Interim City Manager to award a contract in the amount of \$66,589.20 to Advanced Roofing for the replacement of the north and south low roofs at City Hall and request that the City Council consider adopting an ordinance amending the FY 2014-2015 Annual Budget in the amount of \$25,735 to provide funding to complete the contract. (O-2015-9)**

January 14, 2015

- C-A-6** Request that the City Council consider authorizing the Interim City Manager to enter into the biannual contract with Focused Advocacy for services during legislative and interim sessions.
- C-A-7** Request that the City Council consider authorizing the Interim City Manager to approve a Reconciliation Change Order, and release of retainage in the amount of \$89,422.08 to Doughtie Construction Co., Inc. for the Baxter Street Sewer Replacement Project.
- C-A-8** Request that the City Council consider receiving a patronage dividend refund check in the amount of \$40,606.03 from First Choice Cooperative and a rebate check in the amount of \$2,705.13 from BuyBoard Cooperative Purchasing.

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

## **INTERIM CITY MANAGER'S REPORT**

- 1. Updated CIP report handed out.**

**RECESS FOR EXECUTIVE SESSION** – City Council convened into executive session at 10:17 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.

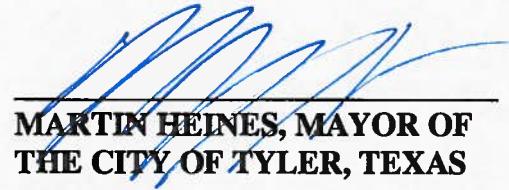
**Any final action to be taken by the City Council will be taken in open session.**

City Council reconvened from executive session at 10:50 am with Councilmember Whatley making the motion to declare the Lindsey building and the Fair building as surplus property and authorize the City Manager to dispose of these properties in accordance with the State Law by either competitive bid or public auction; seconded by Mayor Pro Tem Bowdre; motion carried 7-0.

January 14, 2015

**ADJOURNMENT**

Motion by Councilmember Mezayek to adjourn the meeting at 10:52 am; seconded by Councilmember Whatley; motion carried 7 - 0 & meeting adjourned.

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

**A T T E S T:**

  
**CASSANDRA BRAGER, CITY CLERK**

