

**MINUTES OF THE
REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
May 9, 2007**

A regular meeting of the City Council of the City of Tyler, Texas, was held Wednesday, May 9, 2007 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Joey Seeber
Mayor Pro Tem: Steve Smith
Council Members: Nathaniel Moran
Donald Sanders
Derrick Choice
Chris Simons
Charles Alworth - Absent

City Manager: Bob Turner
Deputy City Manager: Mark McDaniel
City Attorney: Gary Landers
Deputy City Attorney: Steve Kean
Airport Manager: Davis Dickson
Business Service Manager: ReNissa Wade
Development Services Engineer: Michael Wilson
Capital /City Projects Coordinator: Bill Ward
Chief Financial Officer: Daniel Crawford
City Fire Chief: Neal Franklin
City Librarian: Chris Albertson
Director of Parks and Recreation: John Webb
Director of Planning and Zoning: Barbara Holly
Internal Auditor: Keidric Trimble
Manager of Water Quality and Production: Mitch Marable
Manager/Water Utilities Business Office: Joan Roberson
Municipal Court Administrator: Cam McCabe
Director of Utilities & Public Works: Greg Morgan
Traffic Engineer: Kirk Houser
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Councilmember Choice.

AWARDS

A-1

Retirees

Elsie L. Davis

August 22, 1976 to January 31, 2007

Elsie L. Davis went to work for the City of Tyler on August 22, 1976 as a Records Clerk in the Police Department. Her job was reclassified to Clerk I in 1979, Clerk II in 1982, Secretary in 1983 and Senior Secretary in 2000. We are pleased to present Elsie with a Certificate of Retirement for her many years of service with the City of Tyler.

May 9, 2007

Karl C. Pottkotter

May 15, 1978 to January 31, 2007

Karl C. Pottkotter went to work for the City of Tyler on May 15, 1978 as a Police Officer in the Police Department. We are pleased to present Karl with a Certificate of Retirement for his many years of service with the City of Tyler.

Joseph W. Dillman Jr.

September 24, 1973 to March 31, 2007

Joseph W. Dillman Jr. went to work for the City of Tyler on September 24, 1973 as Police Officer in the Police Department. We are pleased to present Joseph with a Certificate of Retirement for his many years of service with the City of Tyler.

Henry W. Schlattner Jr.

August 31, 1979 to April 30, 2007

Henry W. Schlattner Jr. went to work for the City of Tyler on August 31, 1979 as Police Officer in the Police Department. We are pleased to present Henry with a Certificate of Retirement for his many years of service with the City of Tyler.

Janet L. Allen

August 12, 1993 to April 30, 2007

Janet L. Allen went to work for the City of Tyler on August 12, 1993 as Clerk in the Water Distribution Department. Her position was reclassified to Senior Clerk on September 22, 1995. On October 14, 2002 she was transferred to the Labor Pool/Street Department. We are pleased to present Janet with a Certificate of Retirement for her many years of service with the City of Tyler.

Patrick H. Bowles

February 22, 1999 to April 30, 2007

Patrick H. Bowles went to work for the City of Tyler on February 22, 1999 as Senior Utilities Specialist in the Water Administration Department. On April 1, 2004 he was promoted to Accountant I – Financial Analyst. We are pleased to present Patrick with a Certificate of Retirement for his many years of service with the City of Tyler.

These employees represent over 142 years of service with the City of Tyler

A-2 Request that the City Council consider presenting the May 2007 Blueprint Blue Ribbon Award.

Mayor Seeber presented the Blueprint Blue Ribbon award to Mark McDaniel for his action in the Tyler 21 Program.

PRESENTATIONS

P-1 Request that the City Council receive a presentation from the City's Tyler Apprentice Program (TAP) team members.

May 9, 2007

The Tyler Apprentice Program (TAP) was created in April 2005 as the second phase of Business Plan 2005 to create an empowered network of employees who would comprise a secondary organizational structure that reports to the City Manager by being temporarily grouped for problem-solving tasks.

This pilot program included the creation of three separate TAP teams in June 2005. A mentor and a leader were selected for each team of eight, with the mentor serving in an advisory capacity only and the assigned leader taking charge of the team. Each team was self directed and empowered to come up with a team name and identify a project that addressed a problem or created an opportunity within the City organization. Over a year's time, teams researched their projects and proposed potential solutions. In Fiscal Year 2006-2007, the proposal presented by the team called the S-E-R-V-E-rs to create a clerical pool was accepted and funded.

The second TAP class was selected last summer and went to work. Team Azul researched and proposed the creation of an internship program. The Explorers studied the impacts of a flexible work schedule including cost savings to the City. Finally, Team Vision proposed using an Indefinite Delivery Indefinite Quantity (IDIQ) system for purchasing.

The Budget Committee met May 4 to consider the teams' proposals and determine which one will be funded in the coming year. This presentation item is intended to provide the City Council a briefing on TAP projects, announce which project(s) will be recommended for funding in Fiscal Year 2007-2008, and recognize the hard work of the participants.

Team Azul was the winner

RESOLUTIONS

R-1 Request that the City Council consider adopting a Resolution proclaiming the week of May 6 – 12, 2007, as Building Safety Week in the City of Tyler, Texas. (Res. R-2007-17)

Councilman Choice made the motion; seconded by Councilman Simons; motion carried 6-0; approved as presented.

R-2 Request that the City Council consider adopting a Resolution authorizing eminent domain proceedings for the acquisition of right of way land against Joseph H. Martel for the construction of the Grande Boulevard East Extension Phase 2. (Res. R-2007-18)

Mayor Pro Tem Smith made the motion; seconded by Councilman Moran; motion carried 6-0; approved as presented.

R-3 Request that the City Council consider adopting a Resolution authorizing eminent domain proceedings for the acquisition of right of way land against Mezayek Building Limited, a general partnership for the construction of the Grande Boulevard East Extension Phase 2. (Res. R-2007-19)

Mayor Pro Tem Smith made the motion; seconded by Councilman Moran; motion carried 6-0; approved as presented.

May 9, 2007

- R-4 Request that the City Council consider adopting a Resolution agreeing to provide defense and indemnity to a certain City official and certain City employees who are defendants in a lawsuit brought against them in their capacity as City employees. (Res. R-2007-20)**

Councilman Moran made the motion; seconded by Councilman Choice; motion carried 6-0; approved as presented.

ORDINANCES

- O-1 Request that the City Council consider adopting an Ordinance amending Chapter 8, “Parks” by adding a new projector rental fee, a new “Building Maintenance Fee Alcohol”, and by amending certain rental and use fees for Harvey Convention and the Rose Garden Centers. (Ord. No. 0-2007-50)**

Mayor Pro Tem Smith made the motion; seconded by Councilman Simons; motion carried 6-0; approved as presented.

- O-2 Request that the City Council consider adoption of an ordinance amending the loud and raucous noise provisions in Tyler City Code Chapter 4 to adopt a new regulation regarding the improper use of engine brakes. (Ord. No. 0-2007-51)**

Councilman Choice made the motion; seconded by Councilman Moran; motion carried 6-0; approved as presented.

MISCELLANEOUS

- M-1 Request that the City Council consider authorizing the City Manager to execute a professional services agreement with Freese & Nichols, Incorporated for General City Engineering Services and Capital Improvement Project Management until such time as the vacant positions in the City Engineer’s office are filled. ©**

Councilman Simons made the motion; seconded by Councilman Sanders; motion carried 6-0; approved as presented.

- M-2 Request that the City Council authorize the payment to Landmark Title in the amount of \$90,562.01 for acquisition of right-of-way for Lake Placid Road.**

Councilman Sanders made the motion; seconded by Councilman Choice; motion carried 6-0; approved as presented.

- M-3 Request that the City Council consider ratifying a Donation made to the Tyler Fire Department from East Texas Emergency Medical Service for thirteen (13) new Automated Electronic Defibrillators (AED’s) in an amount totaling \$19,735.00.**

Councilman Simons made the motion; seconded by Councilman Sanders; motion carried 6-0; approved as presented.

CONSENT AGENDA

(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 ratifying the purchase of 12,000 feet of pipe for the emergency replacement of a 12-inch water line along Hollytree Boulevard from Municipal Waterworks Supply in the amount of \$16,500.
- C-A-2** Request that the that the City Council consider authorizing the City Manager to approve the purchase of replacement carpet tiles from Spectra Contract Flooring in the amount of \$15,400.00 for Tyler Pounds Regional Airport.
- C-A-3** Request that the City Council consider authorizing the City Manager to issue final acceptance for and execute the Reconciliation Change Order for the 2005 Airport Taxiway Lighting System Improvement Project at Tyler Pounds Regional Airport.
- C-A-4** Request that the City Council consider authorizing the City Manager to enter into a contract with Credit Systems International Incorporated (CSII) to provide collection services for the Water Business Office and the Solid Waste Department.
- C-A-5** Request that the City Council consider authorizing the City Manager to pursue and accept grant funding through the Bulletproof Vest Partnership Grant Act for body armor purchased by the City for the Police Department.
- C-A-6** Request that the City Council consider authorizing the purchase of two (2) Holmatro Hydraulic Rescue Tools, Power Units, Connector Hose and Glass Cutting Tools for Engines Numbers 5 and 9 from Metro Fire Apparatus Specialists, Incorporated, for the total amount of \$19,461.90.
- C-A-7** Request that the City Council consider authorizing the purchase of four (4) new Scott Air Packs consisting of AP50 Standard Harness with E-Z Flow Regulators, Quick Connect Regulators and Pak-Alert Assembly, from the Sole Source - MES-Four Alarm in the total amount of \$10,988.00.
- C-A-8** Request that the City Council consider authorizing the City Manager to purchase new traffic signal communications hardware from Raptor Controls, Incorporated for the East Loop 323 subsystem in the amount of \$21,705.00.
- C-A-9** Request that the City Council consider authorizing the City Manager to make application for, accept, and enter into an agreement with the Texas Department of Transportation for a grant in the amount of \$11,958 to enforce seat belt usage and child safety seat usage during the Memorial Day weekend.

C-A-10 Request that the City Council authorize the City Manager to make payment for or ratify the transfer of in-car computer systems from retiring patrol vehicles to new patrol vehicles. The charge for equipment transfer is \$11,200.

C-A-11 Request that the City Council consider authorizing the City Manager to award Bid Number 07-023 for re-carpeting the north half of the first floor of the Tyler Public Library to low bidder A-1 Floors of Tyler, Texas in the amount of \$31,409.60.

Councilman Choice made the motion to approve the entire consent agenda; seconded by Mayor Pro Tem Smith; motion carried 6-0; approved as presented.

CITY MANAGER'S REPORT

1. *Lake Tyler and Lake Tyler East at 1.7' below elevation*
2. *Free Disc Golf Clinic Saturday*
3. *Free Movies on 5/12 @ 8:00 p.m. at Bergfield*
4. *Appreciation comments for outgoing Councilmember Derrick Choice by Mayor & City Council and comments by Councilmember Choice*

Mayor – Stated that Derrick does an outstanding job for his district and he has had the privilege to serve with Derrick for the last six years and he will be missed.

Simons – Stated that he has been on City Council for three years with Derrick and has established a friendship and he will be missed along with his leadership.

Sanders – Stated that it has been a pleasure to work with a Councilman like Derrick Choice, and it has been a great learning experience. Derrick is willing to share his knowledge and wisdom of way the city government is run.

Councilman Smith – Stated that he has asked Derrick for advice and no one does a better job at representing his district. City of Tyler has really benefited from having Derrick around.

Moran – Stated that Derrick has a unique perspective on his district and also thanked him for his example in leadership and stated he would be missed.

Choice - Thanked everyone for comments and kind words. Derrick thanked God for the opportunity to serve. Derrick thanked his wife and family. Derrick thanked the citizens and would like them to remember him for his passion. Derrick also thanked staff for support.

RECESS FOR EXECUTIVE SESSION - None

May 9, 2007

ADJOURNMENT

Councilman Moran made the motion to adjourn the meeting at 10:12 a.m.; seconded by Councilman Sanders; motion carried 6-0; meeting adjourned.

**JOSEPH O. SEEBER, MAYOR OF
THE CITY OF TYLER, TEXAS**

A T T E S T:

CASSANDRA BRAGER, CITY CLERK