



# City Council

## Regular Meeting

~ Minutes ~

Council Chambers  
Tyler, TX 75703  
[www.CityofTyler.org](http://www.CityofTyler.org)

Cassandra Brager

Wednesday, January 11, 2017

9:00 AM

Council Chambers

**Internet website <http://www.cityoftyler.org> and Cable Access Channel 3**

### AMERICANS WITH DISABILITIES ACT NOTICE

The City of Tyler wants to assure that City Council Meetings are accessible to disabled persons. If any special assistance or accommodations are needed in order to attend a City Council meeting, please contact the City Manager's Office at 903.531.1250, in advance so accommodations can be made.

### COURTESY RULES

Thank you for your presence. The City Council appreciates your interest in Tyler City Government. To ensure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, Administrative Staff, News Media, Citizens and Visitors. If you wish to address the Council, obtain a speaker card from the receptionist's desk outside the Council Chambers, complete the information requested on the card, and deliver to the City Clerk before the meeting or as soon as you can. Speakers will be heard as the individual item(s) in which they have registered an interest come before the Council. Your remarks will be limited in duration depending on the number of people wanting to speak on a particular item. Delay or interruption of the proceedings will not be tolerated.

### Invocation

9:00 AM Meeting called to order on January 11, 2017 at Council Chambers, 212 North Bonner, Tyler, TX.

Attendee Name	Title	Status	Arrived
Mark Whatley	Councilman	Present	
Martin Heines	Mayor	Present	
Edward Moore		Present	
Darryl Bowdre		Present	
John Nix		Present	
Don Warren	Councilman	Present	
Linda Sellers	District 1 Central	Present	

### Approval of Minutes

2. Wednesday, November 09, 2016

## Employee Awards, Recognitions, Service

### A-1 New Hires Recognitions

FIRST NAME:	LAST NAME:	POSITION:	DEPARTMENT:
Joseph	Green	Animal Shelter Tech	Animal Control
Charles	Vivion	Code Services Officer	Code Enforcement
Robert	Mauldin	Multi-Media Specialist	Communications
Lucas	Minyard	Fire Recruit	Fire
Jessica	Contreras	PS Telecommunicator II	Police
Kenyata	Dixson	Account Specialist	Solid Waste
Alexander	Williams	Welder I	Solid Waste
Frederick	Williams	Residential Equipment Operator	Solid Waste
Reshard	Davis	Bus Driver	Transit
Benjamin	Gordon	Laborer	Water
Jason	Mills	Foreman I	Water

### Zoning Items

**Z-1 PD16-015 TCMJ DEVELOPMENT, LLC (1216 WOODLARK DRIVE) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "PUR", Planned Unit Residential District with final site plan**

**Z-2 PD16-016 WERNER TAYLOR AND WERNER LLC (13.27 ACRES OF LAND) Request that the Planning and Zoning Commission consider recommending a zone change from "RPO", Restricted Professional Office District and "PUR", Planned Unit Residential District to "PUR", Planned Unit Residential District with final site plan**

**Z-3 Z16-021 TEXAPLEX PROPERTIES, LLC (2660 EAST FRONT STREET) Request that the City Council consider approving a zone change from "M-1", Light Industrial District to "C-2", General Commercial District.**

**Z-4 Z16-022 SIMON MUNOZ (111 NORTH BEVERLY STREET) Request that the City Council Consider approving a zone change from "M-1" Light Industrial District to "R-1B", Single-Family Residential District.**

**Z-5 Z16-023 KEITH GERBER (2001 COLSTON DRIVE) Request that the City Council Consider approving a zone change from "R-1A", Single-Family Residential District to "C-1", Light Commercial District**

**Z-6 Z16-024 FAYETTE ST ASSOCIATES LLP (2804 EAST ERWIN STREET) Request that the City Council consider approving a zone change from "C-2", General Commercial District to "M-1", Light Industrial District**

**Z-7 Z16-025 COOPER PLASTERING INC (2726 EAST ERWIN STREET) Request that the City Council consider approving a zone change from "R-1A", Single-Family Residential District to "M-1", Light Industrial District**

**Z-8 Z16-026 PETER RUTTER (113 WEST RUSK STREET) Request that the City Council Consider approving a zone change from "RPO" Restricted Professional Office District to "AR", Adaptive Reuse District**

**Z-9 F16-058 MYERWOOD ADDITION UNIT 1, THIRD AMENDMENT** Request that the City Council consider approving a two lot subdivision containing approximately 2.62 acres of land located north of the northeast corner of Myers Street and Mugsy Drive and a waiver of escrow for street improvements to Myers Street in the amount of \$6,786

## **Adoption of Ordinances**

**O-1** Request that the City Council consider adopting an Ordinance amending Tyler City Code Chapter 12, by establishing an Airport concession fee for on-site rental car companies, amending ready car rental space fees, prohibiting dual branding at a single leased counter space, clarifying Airport wash bay fees, amending off-site car rental business permit fees and usage, and updating references to the Airport and Airport Terminal Building

## **Miscellaneous Items**

**M-1** Request City Council receive a request from Champ Hospitality, LLC for a time extension to obtain funding Letters of Intent for the proposed Hotel/Conference Center

## **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 awarding the bid for the Demolition and Reconstruction of one (1) single-family dwelling unit

**C-A-2** Request that the City Council consider authorizing the City Manager to award new Auto Rental Leases to the companies of Hertz Corporation, dba Hertz; EAN Holdings, LLC, dba National Car Rental; and EAN Holdings, LLC, dba Enterprise Rent-A-Car, for the operation of rental car concessions at Tyler Pounds Regional Airport

**C-A-3** Request that the City Council consider ratifying an emergency repair not to exceed a total of \$62,530.95 for Love Electric, Inc., to replace airfield lighting components for Runway 13/31, to include new transformers, fixtures, and signage. Project is mandatory to meet FAA standards, and will be 50 percent funded by TXDOT via a match grant

**C-A-4** Request that the City Council consider receiving a patronage dividend refund check in the amount of \$49,105.62 from FirstChoice Cooperative and a rebate check in the amount of \$682.05 from BuyBoard Cooperative Purchasing.

**C-A-5** Request that the City Council consider ratifying Assignment Agreement and Amended Tax Abatement for VEREIT OFC Tyler TX, LLC to reflect an ownership change and authorize the City Manager to sign all documents necessary to implement the Assignment Agreement and Amended Tax Abatement Agreement

**C-A-6** Request that the City Council consider ratifying the purchase of goods from Brookshire's Grocery Company in an amount of \$43,915.50

## **Appointments to Boards**

***B-1 Request that the City Council consider adoption of an Ordinance approving appointment of three members to the Board of Directors of the City of Tyler Tax Increment Reinvestment Zone No. 1 (TIRZ No. 1), and also appointing a Chairperson of the Board***

***B-2 Request that City Council consider making appointments to the Disability Issues Review Board, and the Traffic Safety Board as well as appointing a Chair to each board***

***B-3 Request that City Council consider making an appointment to the Half Cent Sales Tax Board.***

## **City Manager's Report**

### **Recess for Executive Session**

**As allowed by the Texas Open Meetings Law, Chapter 551 of the Government Code, the City Council may consider the following:**

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.

Executive Item No. 3:

Under Tex. Gov't Code section 551.074 "Personnel Matters" deliberation regarding the following:

The employment, duties and evaluation of the City Manager.

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

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

## **Adjournment**