

**MINUTES OF THE  
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS  
FEBRUARY 24, 2010**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, February 24, 2010 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Barbara Bass  
Mayor Pro Tem: Donald Sanders  
Councilmembers: Charles Alworth  
Chris Simons  
Ralph Caraway  
Sam Mezayek  
Mark Whatley

City Manager: Mark McDaniel  
Asst. City Manager: Scott Wall  
City Attorney: Gary Landers  
Deputy City Attorney: Steve Kean  
Airport Manager: Davis Dickson  
Human Resources Director: ReNissa Wade  
Development Services Engineer: Michael Wilson  
Director of Neighborhood Services: Brenda Johnson  
Chief Financial Officer: Daniel Crawford  
City Engineer: Carter Delleney  
City Police Chief: Gary Swindle  
Communications Director: Susan Guthrie  
Director of Parks and Recreation: Stephanie Rollings  
Director of Planning and Zoning: Barbara Holly  
Director of Solid Waste: Dan Brotton  
Traffic Engineer: Peter Eng  
City Clerk: Cassandra Brager

**INVOCATION**

The Invocation was given by Councilmember Caraway.

Motion by Councilman Caraway to approve the February 10, 2010 minutes; seconded by Mayor Pro Tem Sanders; motion carried 7 - 0 & approved as presented.

**EMPLOYEE AWARDS – RECOGNITIONS, SERVICE**

**A-1 New Hires Recognitions**

The following employees were hired by the City of Tyler on February 8, 2010. We would like to take this opportunity to welcome these new employees.

Sue	Barham	Transit Operations Coordinator	Transit
Jerry	Howard	Residential Equipment Operator	Solid Waste
Dustin	Snyder	Residential Equipment Operator	Solid Waste
Alfred	Hamlett	Residential Equipment Operator	Solid Waste
Debora	Schreck	Senior Secretary	Vehicle Services
Steven	Jones	Fire Recruit	Fire Department
Mason	Edney	Fire Recruit	Fire Department

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Greg	Crenshaw	Fire Recruit	Fire Department
Matthew	Hazel	Fire Recruit	Fire Department
Christopher	Mahler	Fire Recruit	Fire Department
Jeffrey	Jordan	Fire Recruit	Fire Department
John	Brown	Fire Recruit	Fire Department

**ZONING**



**Z-1 APPLICATION Z01-10-012 BARRY ROBINSON (1733 EAST ELM STREET)  
Request that the City Council consider changing the zoning from "R-2", Two-Family Residential District to "R-1D", Single-Family Detached and Attached Residential District. (O-2010-14)**

Motion by Councilman Simons; seconded by Councilman Caraway; motion carried 7 - 0 & approved as presented.

**Z-2 APPLICATION Z01-10-013 BARRY ROBINSON (2801 VALLEY VIEW STREET)  
Request that the City Council consider changing the zoning from "R-1A", Single-Family Residential District to "R-1B", Single-Family Residential District. (O-2010-15)**

Motion by Councilman Simons; seconded by Councilman Whatley; motion carried 7 - 0 & approved as presented.

**Z-3 APPLICATION F02-10-032 CAMBRIDGE BEND ESTATES (UNITS 1 & 2),  
SECOND AMENDMENT, AMENDING REPLAT OF LOTS 10 AND 28-A OF  
CAMBRIDGE ESTATES UNITS 1 AND 2  
Request that the City Council consider approving an adjustment of lot lines.**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 7 - 0 & approved as presented.

**PRESENTATIONS**



**P-1 Request that the City Council considering receiving a presentation from the Neighborhood Services Department regarding the City's Neighborhood Empowerment Works (NEW) 2009 Fall Program in District No. 2, which is represented by Councilman Sanders.**

**Brenda Johnson, Director of Neighborhood Service-** Gave a brief update on the City's Neighborhood Empowerment Works (NEW) 2009 Fall Program in District No. 2, which is represented by Councilman Sanders

**RESOLUTION**



**R-1 Request that the City Council consider adopting a Resolution agreeing to the sale of certain tracts of land located within the City of Tyler city limits and owned by taxing entities including the City of Tyler. (R-2010-4)**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 7 - 0 & approved as presented.

**ORDINANCE**

**O-1 Request that the City Council consider adopting an Ordinance amending City Code Chapter 17, by establishing a new school speed zone with a speed limit of 25 mph for Gary Elementary along portions of Chilton Avenue, Bois D'Arc Avenue, Phillips Street and Rusk Street. (O-2010-16)**

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

**MISCELLANEOUS**

**M-1 Request that the City Council consider awarding portions of Bid No. 10-008 to Signature Contracting Services, Limited Liability Company, in the amount of \$93,816.54 annually, and to Integrity Tree Care & Landscaping in the amount of \$67,128.86 annually and authorize the City Manager to execute the two Contracts for Grounds Maintenance Services. The Signature Contracting Services, Limited Liability Company contract will include Pollard Park, Winters Park, Bergfeld Park, Rose Rudman Trail, Southside Park, Creekside Trail, Grande Boulevard Medians and Right-of-Way, and Faulkner Park; and the Integrity Tree Care and Landscaping will include Tyler Pounds Regional Airport, Tyler Transit Depot, City Park, Gassaway Park, Herndon Hills Park, Hillside Park, Emmett Scott Park, PT Cole Park, TR Griffith Park, and Lindsey Park.**

Motion by Councilman Alworth; seconded by Mayor Pro Tem Sanders; motion carried 7 - 0 & approved as presented.



**M-2 Request that the City Council consider authorizing the City Manager to award a contract, in the amount of \$254,640, to Haws Roofing, for the replacement of the Municipal Court/Health Department roof at 813 and 815 North Broadway. ©**

Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 7 - 0 & approved as presented.

**M-3 Request that the City Council consider authorizing the City Manager to award a bid to purchase three additional Low Floor Transit Coaches including optional equipment from Lasseter Bus & Mobility totaling \$555,849.**



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Motion by Councilman Alworth; seconded by Councilman Simons; motion carried 7 – 0 & approved as presented.

- M-4 Request that the City Council consider authorizing the City Manager to execute an Airport Restaurant Concession Lease in the North Side Terminal Building at Tyler Pounds Regional Airport with The Skyline Café (Rebecca Kalmowitz, Owner) for a term of three years with an option to renew for an additional two-year period. ©**


Motion by Councilman Alworth; seconded by Councilman Whatley; motion carried 7 - 0 & approved as presented.

- M-5 Request that the City Council consider authorizing the City Manager to enter into a Development Agreement with Chamblee’s Roses and Gifts, Incorporated, for the development and annexation of certain property located along State Highway 69 in Smith County, Texas. ©**

Motion by Councilman Alworth; seconded by Mayor Pro Tem Sanders; motion carried 7 -0 & approved as presented.

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- M-6 Request that the City Council consider adopting an Ordinance establishing Tyler Industrial District No. 1 in the Tyler Pipe area in the City’s extraterritorial jurisdiction, and authorizing an Industrial District Agreement with McWane Incorporated. (O-2010-17) ©**


Motion by Councilman Alworth; seconded by Mayor Pro Tem Sanders; motion carried 7 -0 & approved as presented.

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- M-7 Request that the City Council consider adopting a Resolution supporting PHG Lone Star, LLC. Application to the Texas Department of Housing and Community Affairs for the development of Pinnacle at North Chase Apartments. (R-2010-5)**

Motion by Councilman Caraway; seconded by Councilman Alworth; 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).**

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- C-A-1 Request that the City Council consider authorizing the City Manager to issue Final Acceptance for and execute the Reconciliation Change Order reducing the total contract amount by \$8,059 for the Bus Stop Improvement Project with Tyler Transit. ©**

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**C-A-2** Request that the City Council consider approving the reconciliation change order and releasing final retainage to Reynolds and Kay, Ltd. for the Grande Boulevard Phase 2A – Sutherland Drive to Paluxy Drive project. ©

**C-A-3** Request that the City Council consider authorizing the City Manager to execute an Interlocal Election Contract with Smith County to perform certain joint election services for City Council Election to be held May 8, 2010, as part of the joint election with the Tyler Independent School District and Tyler Junior College. ©



**C-A-4** Request that the City Council consider ratifying Tyler Water Utilities staff action to contract with and made payment in the amount of \$28,541.98, to A.E. Shull & Company for the emergency repair of the Highway 31 W. 15-in sanitary sewer main. ©

**C-A-5** Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending December 31, 2009.

**C-A-6** Request that the City Council consider reviewing and accepting the Revenue/Expenditure Report for the quarter ending December 31, 2009.

Motion by Councilman Alworth; seconded by Mayor Pro Tem Sanders; motion carried 7 -0 & approved as presented.

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

1. Planning efforts underway updates, hand-out
2. Budget update, 3 yr reviews first round completed; New hires today but only Fire in General Fund, currently \$2 million sales tax shortfall

### **ADJOURNMENT**

Motion by Mayor Pro Tem Sanders to adjourn the meeting; seconded by Councilman Alworth; motion carried 7 - 0 & meeting adjourned at 10:10 am.



BARBARA BASS, MAYOR OF  
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

