

**MINUTES OF THE
REGULAR CALLED MEETING OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS
November 10, 2010**

A regular called meeting of the City Council of the City of Tyler, Texas, was held Wednesday, November 10, 2010 at 9:00 a.m. in the Council Chamber, City Hall, Tyler, Texas, with the following present:

Mayor: Barbara Bass
Mayor Pro Tem: Ralph Caraway
Councilmembers: Martin Heines
Donald Sanders
Mark Whatley
Sam Mezayek
Jason Wright

City Manager: Mark McDaniel
Asst. City Manager: Scott Wall
City Attorney: Gary C. Landers
Deputy City Attorney: Steve Kean
Airport Manager: Davis Dickson
Human Resources Director: ReNissa Wade
Development Services Engineer: Michael Wilson
Chief Financial Officer: Daniel Crawford
City Fire Chief: Neal Franklin
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
Budget/Internal Auditor: Keidric Trimble
Director of Utilities & Public Works: Greg Morgan
City Clerk: Cassandra Brager

INVOCATION

The Invocation was given by Mayor Pro Tem Caraway.

Mayor Bass read a proclamation to designate November 10, 2010 as Veterans Recognition Day here in Tyler Texas.

BOARD APPOINTMENTS

B-1 Request that the City Council consider reappointment of a chairman and all six City members of the City of Tyler Tax Increment Reinvestment Zone No. 1 Board.

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

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B-2

Request that the City Council consider adoption of an ordinance approving the appointment of the City Council as directors for positions one through seven to the Board of Directors of Tyler Development Authority in the City of Tyler, appointing the Mayor as Chair of the Tyler Development Authority; and appointing Mike Coker and Commissioner JoAnn Hampton to positions 8 and 9. (O-2010-118)

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

RECESS

CONVENE DEVELOPMENT AUTHORITY BOARD MEETING

Motion by Board member/Mayor Pro Tem Caraway to approve the December 12, 2008 minutes for the Development Authority Board; seconded by Board member/ Councilmember Sanders; motion carried 8 - 0 & approved as presented.

Request that the Tyler Development Authority consider approving Proposal from Walker Parking Consultants Associates on downtown parking garage study using a combination of donated funds and available TIRZ No. 2 funds.

Board member/Commissioner Hampton – Stated that the County was also doing a study and wanted to make sure the two items were looked at together so that things are not overlapping and that the use of the money was being used wisely.

Motion by Board member/Councilmember Heines; seconded by Board member /Commissioner Hampton; motion carried 8 - 0 & approved as presented.

The Development Authority Board meeting adjourned at 9:14 am

RECONVENE NOVEMBER 10, 2010, CITY COUNCIL MEETING

PRESENTATIONS

P-1 Request that City Council considers receiving a presentation on an opportunity to refinance \$11,090,000 in bonds from the Water and Sewer System Series 2002 revenue bond issue at a lower interest cost to gain a net present value benefit savings of about \$421,000.

Steven Adams, Specialized Public Finance – Gave a brief presentation on the opportunity to refinance \$11,090,000 in bonds from the Water and Sewer System Series 2002 revenue bond issue.

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

ORDINANCE



O-1 Request that the City Council consider adopting an Ordinance amending the Unified Development Code in Tyler City Code Chapter 10 by amending regulations relating to zoning, use regulations, streets and thoroughfares, development standards, sign regulations, environmental regulations, historic preservation, and definitions. (O-2010-119)

Motion by Councilmember Whatley to approve the ordinance as submitted with the exception of the parking issues and that staff will bring back a recommendation for the outdoor items that are on the sidewalk; seconded by Councilmember Mezayek; motion carried 7 - 0 & approved as presented.

O-2 Request that the City Council consider amending Ordinance No. 0-2006-39, 4/12/06) Tyler City Code Chapter 8, “Parks”, Article I, “In General”, Section 8-5. “Parks closed during certain hours”, to include Tyler Rose Garden be closed sunset to sunrise. (O-2010-120)

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

MISCELLANEOUS

Mayor exits

M-1 Request that the City Council consider authorizing the City Manager to award Bid No. 09-054, to NDMJ, LLC for the new transportation service contract for ADA Complementary Paratransit Service. ©

Motion by Councilmember Mezayek; seconded by Councilmember Whatley; motion carried 6 - 0 & approved as presented.

Mayor enters

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 authorizing the City Manager to approve an oversize reimbursement, in the amount of \$70,564.50, to Sears Tyler Methodist Retirement Corporation for the construction of an 18-inch water main.



C-A-2 Request that the City Council consider authorizing the City Manager to abandon a sanitary sewer easement south of Loop 323 and west of North Broadway.

C-A-3 Request that the City Council consider reviewing and accepting the Investment Report for the quarter ending September 30, 2010.

C-A-4 Request that City Council consider conducting the annual investment policy review and consider approving an Ordinance adopting the investment policy for fiscal year 2010-2011. (O-2010-121)

C-A-5 Request that the City Council consider authorizing the City Manager to purchase one Ford F550 Flatbed Truck for a total purchase of \$37,105.

C-A-6 Request that the City Council consider authorizing the City Manager to purchase one Street Sweeper for a total purchase of \$172,240.

Motion by Mayor Pro Tem Caraway: seconded by Councilmember Sanders; motion carried 7 - 0 & approved as presented..

CITY MANAGER'S REPORT

- 1. Monthly CIP Report handed out**
- 2. Update on City Hall remodeling**
- 3. City Council meeting changes in Nov. & Dec. (next week (Nov. 17th) and one in December (Dec. 8th))**
- 4. Sister City delegation next week, twinning w/San Miguel de Allende @ 10:30 am on 11/19**

RECESS FOR EXECUTIVE SESSION – City Council convene into Executive Session at 9:58 am

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

-under section 551.087 “Economic Development” deliberation regarding the following:

Possible offer of financial or other incentive to or from prospects and to consider financial and other information about prospects/projects with which the

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City is conducting economic development negotiations that could lead to a partnership in Tyler.

City Council reconvened from Executive Session at 10:21 am with no action taken.

ADJOURNMENT

Motion by Councilmember Whatley; seconded by Councilmember Mezayek to adjourn the meeting at 10:22 am; motion carried 7 -0 & meeting adjourned.

Barbara Bass

BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK

